CONFIDENTIAL.

Class A.

CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS

AT

SIERRA LEONE, HAVANA, THE CAPE OF GOOD HOPE, LOANDA, AND NEW YORK;

AND

REPORTS FROM

BRITISH VICE-ADMIRALTY COURTS,

AND FROM

BRITISH NAVAL OFFICERS,

RELATING TO

THE SLAVE TRADE

From January 1 to December 31, 1864.

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CONFIDENTIAL.

Class A.

CORRESPONDENCE

WITH

BRITISH COMMISSIONERS.

SIERRA LEONE.

No. 1.

Her Majesty's Judge to Mr. Layard.—(*Received February* 11, 1864.)

(No. 35. General.)

Sir, *Sierra Leone, December* 31, 1863.

I HAVE the honour to acquaint you that no payments have been made by the Courts of Mixed Commission to the Liberated African Department in this Colony, on account of captured slaves, during the quarter ending this day.

I have, &c.

(Signed) G. SKELTON.

No. 2.

Her Majesty's Judge to Mr. Layard.—(*Received February* 11, 1864.)

(No. 36. General.)

Sir, *Sierra Leone, December* 31, 1863.

I HAVE the honour to acquaint you that no case has come before the British and Netherlands, British and Spanish, British and Chilian, British and Argentine, British and Uruguayan, British and Bolivian, British and Equatorial, British and United States' Mixed Courts of Justice established in this Colony for the prevention of the illicit Traffic in Slaves, during the half-year ending this day.

I have, &c.

(Signed) G. SKELTON.

No. 3.

Her Majesty's Judge to Earl Russell.—(*Received February* 11, 1864.)

(No. 37. General.)
My Lord, *Sierra Leone, December* 31, 1863.

I HAVE the honour to acquaint your Lordship that no slaves have been emancipated, and consequently that none have been registered by the Courts of Mixed Commission at this station, during the half-year ending this day.

I have, &c.
(Signed) G. SKELTON.

No. 4.

Her Majesty's Judge to Earl Russell.—(*Received February* 11.)

(No. 1. Netherlands.)
My Lord. *Sierra Leone, January* 21, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 14 of the 14th ultimo, with its inclosures, on the subject of the Netherlands barque "*Jane*," condemned in the British and Netherlands Mixed Court of Justice in this Colony for being engaged in the Slave Trade.

In obedience to the instructions conveyed in your Lordship's despatch above mentioned, I have the honour to transmit herewith the original documents on which the Judgment of the Court in the case of the "*Jane*" was founded; comprising—

1. The ship's papers, with a list annexed, with the exception of a muster-roll, dated Rotterdam the 21st of August, 1862, which I have already forwarded to your Lordship in my despatch Netherlands No. 4 of the 20th of April, 1863.

2. The whole of the evidence which was produced before the Court on behalf of the captor and of the claimant, with a list annexed.

I also inclose a copy of the Judgment in the case, duly certified by the Registrar under the seal of the Mixed Courts.

It is necessary for me to observe that the numbers marked on the backs of the inclosed papers have no reference to the order in which they are sent as inclosures to this despatch; the numbers in question denote the order in which the papers bearing them were filed in the Registry amongst the whole of the documents included in the proceedings in the case, of which I have not thought it necessary to forward such as merely contain technical formalities usual in the practice of the Mixed Court, but do not in any way bear upon the evidence or the sentence.

I have, &c.
(Signed) G. SKELTON.

No. 5.

Her Majesty's Judge to Earl Russell.—(*Received March* 13.)

(No. 4. General.)
My Lord, *Sierra Leone, February* 20, 1864.

I HAVE the honour to transmit herewith to your Lordship a Return of vessels captured on suspicion of being engaged in the Slave Trade, which have been adjudicated by the Vice-Admiralty Court in this Colony, during the half-year ending the 31st December, 1863, under the Act 5 Geo. IV, cap. 113.

I have, &c.
(Signed) G. SKELTON.

Inclosure 1 in No. 5.

RETURN of Vessels Captured on suspicion of being engaged in the Slave Trade, and adjudicated by the Vice-Admiralty Court at Sierra Leone, from July 1 to December 31, 1863.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where Captured.	Property Seized.	Seizor.	Date of Sentence.	Number of Slaves Captured.	Number died before Adjudication.	Total Number Emancipated.	Tonnage.	Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which Sentence was passed, or Prosecution instituted.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.
1. Canoe	None	Cerey Booboo	1863 Oct. 4	Close to Leopard Island	Canoe and contents	Thos. Pike, Esq., Harbour Master	1863 Oct. 15	13	....	13	....	Forfeiture	5 Geo. IV, cap. 113	Canoe and effects sold by public auction; proceeds not sufficient to pay expenses; deficiency to be paid by captor.
2. Ditto	Ditto	Moodoo Lahie, Yourah, and Yahba Daruba	Nov. 30	Close to Banana Island	Ditto	J. B. Elliot, Manager of Kent	Dec. 19	2	....	2	....	Ditto	Ditto	Canoe and contents sold by public auction, and, after paying all expenses, there remains in the Registry to the credit of this case, a balance of 26*l.* 18*s.* 8½*d.*

Sierra Leone, February 20, 1864.

(Signed) THOMAS MARSTON, *Registrar.*

No. 6.

Earl Russell to Her Majesty's Judge.

(No. 31.)

Sir, *Foreign Office, April* 2, 1864.

I HAVE to inform you that I have communicated with the Secretary of State for the Colonies on the subject of the request contained in your despatch, Separate, of the 30th of October last, that Members of the Mixed Commission Courts at Sierra Leone might be allowed to import articles free of duty into that Colony for their own private use; and I now inclose, for your information a copy of the reply which has been received from the Colonial Office, stating that his Grace the Duke of Newcastle regrets that he is unable to accede to your request.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 6.

Mr. Elliot to Mr. Hammond.

Sir, *Downing Street, March* 31, 1864.

IN answer to your letter of the 19th instant, accompanied by one from Mr. Skelton, Her Majesty's Judge of the Mixed Commission Court at Sierra Leone, I am directed by the Duke of Newcastle to acquaint you, for the information of Earl Russell, that stores for the consumption of the troops are introduced free of duty in all the Colonies, and that in some of them articles are also allowed to be introduced free for the use of the officers of the army and military departments, as well as occasionally the Governor of the Colony, but that this extension of the privilege is questionable in principle, and that in no case is the Duke of Newcastle aware of its being conferred on the Civil officers of Government, whether or not paid by Her Majesty's Treasury.

His Grace is decidedly of opinion that they ought not to have any such privileges, and regrets that he does not think it consistent with his duty to comply with Mr. Skelton's application.

I am, &c.
(Signed) T. FREDK. ELLIOT.

No. 7.

Her Majesty's Judge to Earl Russell.—(Received April 22.)

(No. 6. General.)

My Lord, *Sierra Leone, March* 19, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 1 of the 3rd ultimo, granting me leave of absence to return to England in the ensuing spring, and I beg leave to return my best thanks for your Lordship's kindness.

I have the honour further to state that it is my intention to avail myself of the permission granted to me, and to leave here by the mail of the 21st of April next.

I have, &c.
(Signed) G. SKELTON.

No. 8.

Her Majesty's Judge to Mr. Layard.—(Received May 11.)

(No. 10. General.)

Sir, *Sierra Leone, March* 31, 1864.

I HAVE the honour to acquaint you that no payments have been made by the Courts of Mixed Commission to the Liberated African Department in this Colony on account of captured slaves during the quarter ending this day.

I have, &c.
(Signed) G. SKELTON.

No. 9.

Her Majesty's Judge to Earl Russell.—(Received May 11.)

(Separate.)

My Lord, *Sierra Leone, April 14, 1864.*

I HAVE the honour to forward herewith a letter addressed to your Lordship by Mr. Ashwood, the Clerk in the Registry of the Mixed Courts in this Colony, requesting that he may be promoted to the vacant office of Clerk to Her Majesty's Commissioners; and in doing so, I trust I may be permitted to state that Mr. Ashwood has always performed his duties to my entire satisfaction, and to recommend that gentleman's request to your Lordship's favourable consideration.

I have, &c.

(Signed) G. SKELTON.

Inclosure in No. 9.

Mr. Ashwood to Earl Russell.

My Lord, *Sierra Leone, April 14, 1864.*

A VACANCY having occurred in the office of Her Majesty's Judge through the retirement of Mr. Hazeley on a pension, I respectfully beg that your Lordship will be pleased to promote me to that vacancy.

Having served in the Registry of the Mixed Courts for very nearly nine years, during which period I have not been absent on leave, I trust that your Lordship will be pleased to take my application into favourable consideration.

I have, &c.

(Signed) JOHN ASHWOOD.

No. 10.

Earl Russell to Her Majesty's Acting Judge.

(No. 7)

Sir, *Foreign Office, June 8, 1864.*

I HAVE to acquaint you that I have received a note from the Spanish Minister at this Court, informing me that Her Majesty the Queen of Spain has been pleased to appoint Don Miguel Suarez y Guanes to be Spanish Vice-Consul at Sierra Leone, and Arbitrator on the part of Spain in the British and Spanish Mixed Commission Court established in that Colony under the provisions of the Treaty of 1834 between this country and Spain for the suppression of the Slave Trade.

I have accordingly to desire that on the arrival of M. Suarez, and on the production of his Commission as Arbitrator, you will take the necessary steps for having the usual oath of office administered to him.

I am, &c.

(Signed) RUSSELL.

No. 11.

Her Majesty's Acting Judge to Earl Russell.—(Received June 11.)

(No. 12. General.)

My Lord, *Sierra Leone, April 25, 1864.*

I HAVE the honour to report to your Lordship that George Skelton, Esq., Her Majesty's Judge of the Mixed Courts of Justice, having left this Colony on the 21st instant for England, I have been called on, and have this day taken the usual oath of office as Acting Judge, in accordance with the Treaties for the suppression of the Slave Trade, and that I am at present performing the duties of the office.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 12.

Her Majesty's Acting Judge to Earl Russell.—(Received June 11.)

(No. 14. General.)
My Lord, *Sierra Leone, May 19, 1864.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 3 of the 2nd ultimo, inclosing copy of a letter from his Grace the Duke of Newcastle, stating that his Grace regrets that he is unable to accede to the request of the Members of the Mixed Commission Courts to be allowed to import articles free of duty.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 13.

Her Majesty's Acting Judge to Earl Russell, No. 15, May 19, 1864.

[Acknowledging receipt of Slave Trade information.]

No. 14.

Her Majesty's Acting Judge to Earl Russell.—(Received June 11.)

(No. 1. Spain.)
My Lord, *Sierra Leone, April 25, 1864.*

I HAVE the honour to report to your Lordship that Don Pio de Emparanza, the Spanish Consul and Judge of the Mixed Courts, left this Colony on the 21st instant for Europe.

On the recommendation of Don Emperanza, Don Miguel Suarez y Guanes has been provisionally recognized as Acting Spanish Vice-Consul, but I presume that special instructions will be necessary to enable him to act as Spanish Judge in accordance with despatch dated Foreign Office, No. 4, November 27, 1857.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 15.

Mr. Layard to Her Majesty's Acting Judge.

(No. 8.)
Sir, *Foreign Office, June 23, 1864.*

I AM directed by Earl Russell to transmit to you, for your information, copies of a letter and its inclosures from the Commander of Her Majesty's ship "Ariel,"* reporting the circumstances under which he has despatched the Spanish ship "*America*" to Sierra Leone for adjudication on suspicion of being engaged in the Slave Trade.

I am also to inclose copies of two despatches received in the months of January and February last from Her Majesty's Minister at Madrid,† containing information respecting this vessel.

I am, &c.
(Signed) A. H. LAYARD.

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* No. 185.

† Nos. 245 and 247.

No. 16.

Her Majesty's Acting Judge to Mr. Layard.—(*Received July* 11.)

(No. 17. General.)

Sir, *Sierra Leone, June* 13, 1864.

I HAVE the honour to acknowledge the receipt of your despatch No. 5 of 23rd ultimo, transmitting copy of a letter from the Treasury that arrangements will be made for the payment of Mr. Hazeley's pension through the Treasury chest at Sierra Leone.

In obedience to your instructions, I have acquainted Mr. Hazeley accordingly.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 17.

Her Majesty's Acting Judge to Earl Russell.—(*Received July* 11.)

(No. 18. General.)

My Lord, *Sierra Leone, June* 20, 1864.

I HAVE the honour to report to your Lordship, that as the case of the Spanish ship "*America*" is now before the Court, and Mr. Ashwood acting as Clerk to Her Majesty's Judge, it has been necessary to employ a temporary Clerk in the Registry of the Mixed Courts, and I have authorized the Registrar to employ a person at the rate of 5*s*. per diem.

I have, therefore, the honour to request that the authority may be forwarded for charging the same in the quarterly accounts.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 18.

Her Majesty's Acting Judge to Earl Russell.—(*Received July* 11.)

(No. 2. Spain.)

My Lord, *Sierra Leone, June* 20, 1864.

I HAVE the honour to report to your Lordship that the Spanish ship "*America*," detained by Her Majesty's ship "Ariel," Commander Chapman, on a charge of being equipped for the Slave Trade, was brought before the British and Spanish Mixed Court of Justice in this Colony, on the 17th instant.

Don Miguel Suarez y Guanes, whom I mentioned in my despatch to your Lordship No. 1 of April 25, 1864, as having been recognized by me as Acting Spanish Consul, produced a letter of appointment, a copy of which I herewith beg to inclose, as Arbitrator on the part of Spain; and he was accordingly sworn in on the above date, in order that the Court might be legally constituted for the adjudication of the case.

I have not hesitated to recognize the appointment of Don Miguel Suarez y Guanes as Arbitrator of the Court, on production of the letter signed by the Spanish Secretary of State, as I find that course was pursued in despatch No. 117, October 30, 1845, in the instance of Don Fabricio Potestad, a copy of which is inclosed, and not disapproved of.

But I have informed Don Miguel Suarez y Guanes that I cannot recognize him as more than Acting Consul until the arrival of his exequatur.

There being no Spanish Consul or Judge of the Mixed Court, Don Miguel Suarez y Guanes has been further sworn in as Acting Judge, and will sit with me for the adjudication of the "*America*."

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure 1 in No. 18.

Señor Pacheco to Señor Suarez.

28 *del Abril de* 1864.

LA REINA (que Dios guarde) en atencion á las circunstancias que concurren en que se ha dignado nombrarle Vice-Consul de Espana en Sierra Leona y Arbitro del Tribunal Misto establecido en dicho punto, con el sueldo anual de 30,000 reals vellon, que señala á dichos cargos el presupuesto vigente. De real orden lo digo á V.S. para su conocimiento y satisfaccion, en la inteligencia de que deberá abonar en el Archivo de este Ministerio los derechos del titulo correspondiente.

Dios guarde, &c. (Firmado) T. F. PACHECO.

Inclosure 2 in No. 18.

Her Majesty's Commissioners to the Earl of Aberdeen.

My Lord, *Sierra Leone, October* 30, 1845.

WE have the honour to report to your Lordship the arrival here on the 5th instant of the Spanish corvette "Venus," Captain Don Nicolas Manterola, from Cadiz viâ the Canaries, having on board Don Fabricio Potestad, Her Catholic Majesty's Judge in the British and Spanish Mixed Court of Justice established here, and Messrs. Adolfo Guillemard and Juan José Garcia, appointed Her Catholic Majesty's Consul and Vice-Consul respectively in this colony.

Don Fabricio Potestad was not provided with a Royal commission, but produced the letter of appointment he had received from the Spanish Minister, Don Francisco Martinez de la Rosa, which being considered under the circumstances sufficient authority, the customary oath of office was accordingly administered to Senor Potestad by the Chief Justice on the 10th instant; and we have since observed from Lord Castlereagh's despatch marked Spain, No. 1, of the 18th of January, 1820, that a similar difficulty having occurred on the original establishment of the British and Spanish Mixed Court, it was then settled that the signature of the Spanish Secretary of State to the Commissioner's appointment was sufficient.

The Treaty of the 28th June, 1835, providing that in case of the absence of a Spanish Arbitrator his post shall be supplied by the Spanish Consul, M. Adolfo Guillemard accordingly took the oath as Her Catholic Majesty's Arbitrator *ad interim*, at the same time that Don Fabricio Potestad was sworn in as Her Catholic Majesty's Judge.

We have, &c.

(Signed) W. S. MELVILLE.
JAMES HOOK.

No. 19.

Earl Russell to Her Majesty's Acting Judge.

(No. 9.)

Sir, *Foreign Office, July* 16, 1864.

I HAVE received your despatch No. 18 of the 20th ultimo, reporting that in consequence of the Spanish vessel "*America*" having been brought for adjudication before the British and Spanish Mixed Commission Court, you have found it necessary to employ a temporary Clerk in the Registry of the Mixed Commission Courts, in the place of Mr. Ashwood, who now acts as Clerk to Her Majesty's Judge.

I have in reply to acquaint you that I approve this arrangement; and I authorize you to pay the person so employed the sum of 5*s*. a-day during the time you may require his services, and to charge the same in the quarterly account of the expenses of the Commission.

I am, &c.

(Signed) RUSSELL.

No. 20.

Earl Russell to Her Majesty's Acting Judge.

(No. 10.)

Sir, *Foreign Office, July* 16, 1864.

WITH reference to my despatch No. 7 of the 8th ultimo, informing you that I had received a note from the Spanish Minister at this Court, announcing the appointment of Don Miguel Suarez y Guanes to the post of Spanish Vice-Consul at Sierra Leone, and Arbitrator on the part of Spain in the British and Spanish Mixed Commission Court established in that Colony, I now transmit, for your information, a translation of a note from the Spanish Minister, explaining that when he announced the appointment of Señor Suarez to the posts in question, he did not intend it to be understood that that gentleman held or would receive a specia

nomination as Arbitrator on the part of Spain, but that he would be entitled to act as Arbitrator *ex officio* in virtue of his appointment as Vice-Consul, and in accordance with the stipulations of the Treaty, as long as there should be no other person who is to discharge this duty separately.

I am, &c.
(Signed) RUSSELL.

No. 21.

Her Majesty's Acting Judge to Mr. Layard.—(Received August 9.)

(No. 22. General.)

Sir, *Sierra Leone, June 30, 1864.*

I HAVE the honour to acquaint you that no payments have been made by the Courts of Mixed Commission to the Liberated African Department in this Colony on account of captured slaves, during the quarter ending this day.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 22.

Her Majesty's Acting Judge to Earl Russell.—(Received August 9.)

(No. 23. General.)

My Lord, *Sierra Leone, July 13, 1864.*

I HAVE the honour to transmit herewith to your Lordship a return of vessels captured on suspicion of being engaged in the Slave Trade, which have been adjudicated by the Vice-Admiralty Court in this Colony during the half-year ending 30th June, 1864, under the Act 5 Geo. IV, cap. 113.

I have, &c.
(Signed) SAM. W. BLACKALL.

Inclosure in No. 22.

RETURN of Vessels Captured on suspicion of being engaged in the Slave Trade, and Adjudicated by the Vice-Admiralty Court at Sierra Leone, from January 1 to June 30, 1864.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where captured.	Property seized.	Seizor.	Date of Sentence.	Number of Slaves captured.	Number died before adjudication.	Total Number emancipated.	Tonnage, English.	Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which Sentence was passed, or prosecution instituted.	Whether property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.
			1864	Lat. Long.			1864							
Canoe	None ...	George Caulker ...	Jan. 3	Off Plantain Island ...	Canoe and contents ...	J. B. Elliott, Manager, of Kent	Jan. 21	6	...	6	... ...	Forfeiture	5 Geo. IV, cap. 113	The canoe had nothing in it, and was itself worthless. No commission of sale was moved for.
Canoe	Ditto ...	Unknown	May 26	Off Kent	Ditto	Ditto	June 20	2	...	2	... ...	Forfeiture of slaves ...	Ditto... ...	After the slaves had been taken out of the canoe, the canoe escaped.

Sierra Leone, July 13, 1864.

(Signed) THOMAS MARSTON, *Registrar.*

No. 23.

Her Majesty's Acting Judge to Earl Russell.—(Received August 9.)

(No. 3. Spain.)

My Lord, *Sierra Leone, July 14, 1864.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 7 of the 8th ultimo, acquainting me that Her Majesty the Queen of Spain had been pleased to appoint Don Miguel Suarez y Guanes to be Spanish Vice-Consul at Sierra Leone, and Arbitrator in the British and Spanish Mixed Commission Court.

In my despatch to your Lordship No. 2 of the 20th ultimo, I reported that Don Miguel Suarez y Guanes having produced his letter of appointment as Arbitrator on the part of Spain, was sworn in accordingly, and there being no Consul or Judge, he was further sworn in as Acting Judge, to sit with me for the adjudication of the ship "*America.*"

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 24.

Her Majesty's Acting Judge to Mr. Murray.—(Received August 9.)

(No. 4. Spain.)

Sir, *Sierra Leone, July 14, 1864.*

I HAVE the honour to acknowledge the receipt of your despatch No. 8 of the 23rd ultimo, transmitting for my information copies of a letter and inclosures from the Commander of Her Majesty's ship "Ariel," respecting the detention of the Spanish ship "America," and also copies of two despatches from Her Majesty's Minister at Madrid, containing information respecting that vessel.

I now beg to inform you that the "*America*" is still before the Court, pending adjudication.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 25.

Earl Russell to Her Majesty's Acting Judge, No. 11, August 23, 1864.

[Transmitting Slave Trade information.]

No. 26.

Her Majesty's Acting Judge to Mr. Layard.—(Received September 12.)

(No. 26. General.)

Sir, *Sierra Leone, July 22, 1864.*

I HAVE the honour to acquaint you that no cases have been adjudicated in the several British and Foreign Mixed Courts of Justice, established in this Colony for the prevention of the illicit traffic in slaves, during the half year ended 30th June, 1864.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 27.

Her Majesty's Acting Judge to Earl Russell.—(Received September 12.)

(No. 27. General.)

My Lord, *Sierra Leone, July 22, 1864.*

I HAVE the honour to acquaint your Lordship that no slaves have been emancipated, and consequently none registered, by the Courts of Mixed Commission at this Station during the half year ended 30th June, 1864.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 28.

Her Majesty's Acting Judge to Earl Russell.—(Received September 12.)

(No. 28. General.)

My Lord, *Sierra Leone, August* 12, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 9 of the 16th ultimo, authorizing me to charge the sum of 5*s.* per diem, in the quarterly accounts, for the employment of a temporary clerk in the Registry.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 29.

Her Majesty's Acting Judge to Earl Russell, No. 5 (*Spain*), *August* 12, 1864.

[Receipt of despatch of July 16 respecting Señor Guanes.]

No. 30.

Her Majesty's Acting Judge to Earl Russell.—(Received September 12.)

(No. 29. General.)

My Lord, *Sierra Leone, August* 19, 1864.

I HAVE the honour to inform your Lordship that a ship called the "*Riccardo Schmidt*," with Italian colours, and papers, has been detained in this harbour by Lieutenant Dunlop, R.N., on suspicion of having been fitted out for the Slave Trade, and she now awaits decision in the Vice-Admiralty Court.

The "*Riccardo Schmidt*" is a fine ship of 650 tons burden. She appears to have been American built, at Kennebunk, in the year 1846. I have not been able to trace her former name, nor when she was transferred to the Italian flag.

She has a splendid second deck, and had on board 239 barrels, some containing palm oil and some with salt water.

She sailed from Genoa on the 9th December, 1863. She has no certificate of bond having been given regarding the extraordinary number of casks, but a certificate that the owner, Gerolamo Gambolata, is a man of probity, and incapable of turning them to an illegal purpose.

The venture does not, however, appear to have been on the part of the owner named in the certificate and registry, as the whole of the cargo and barrels were shipped by one E. G. Schmidt.

On her arrival here on the 26th July a passenger was landed from her, named Piaggio, very ill, and he died on the second day. I have ascertained that this man did not come out from Genoa in this vessel. That he has been four years resident at Dutch Accord, and that he has been on board this vessel during the time she has been on the coast.

The case appeared to me to be so suspicious, owing to there being no endorsement on the papers as to where the vessel had been since she left Goree on the 14th January last, the log very imperfectly kept, and no bills of sales being produced either for cargo disposed of, or oil purchased, except one book, all in the captain's handwriting, that I desired a strict examination by the Harbour Master and Collector of Customs, but those officers did not consider themselves justified in detaining her.

On 2nd August, however, she was boarded by Lieutenant Dunlop, and, as I have already mentioned, she now awaits the decision of the Judge of the Vice-Admiralty Court.

I inclose to your Lordship Lieutenant Dunlop's letter, also a protest from the captain, Casanova, with a letter to me, as Governor, from the Acting French Vice-Consul (who is also Vice-Consul for Spain), and a copy of my reply thereto.

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure 1 in No. 30.

Lieutenant Dunlop to Governor Blackall.

Sierra Leone, August 5, 1864.

Sir,

I HAVE the honour to inform you that I have detained the vessel "*Ricarda Schmidt*," now in harbour, on suspicion of having been fitted out for the Slave Trade. The captain states that his papers are in custody of the Colonial Government, and I have to request that you will take the necessary steps to enable me to examine them, with a view to further proceedings.

I have, &c.
(Signed) J. W. DUNLOP.

Inclosure 2 in No. 30.

Protest of Captain Casanova.

Da Bordo, Sierra Leone, 3 *Agosto,* 1864.

IO sottoscritto, Capitano della nave Italiana "*Ricarda Schmidt*," appartenente al porto di Genova, proveniente dalla Costa Occidentale d'Africa, giunto in questo porto il giorno 26 Luglio per caricare per Europa, e compiuto ogni mio dovere da Capitano verso le autorità del paese, il giorno 23 proximo passato con mia massima sorpresa il Governatore, unitamente al Direttore di Dogana, mi manifestavano avere dei sospetti sul barco di mio comando, quale negriere; a tale inaspettato avviso mi recai dal Governatore, ed espostegli valide ragioni ne restò convinto.

Il giorno 31 proximo passato mentre cominciava a discaricare; mi si presenta a bordo un ufficiale di Dogana con un ordine del sullodato Governatore, nel quale comandava al Direttore di Dogana di trattenere nuovamente il mio carico a bordo, perchè quì non vi risiedeva Console Sardo, e che perciò egli era il solo che dovesse avere le carte di bordo. Nello stesso tempo ricevei una lettera ufficiale del detto Governatore nella quale m'intimava di portargli le carte ed il giornale di bordo prima delle 3 P.M.

Recatomi all'istante dall'illustrissimo Signor Console della sullodata Maestà Imperiale, sotto la tutela del quale mi era posto, ed aveagli recato le carte di bordo, non essendovi quì Console Italiano, lo informai dell' accaduto, e prese le mie carte, ed unitele alle miei credenziali sopra il Signor Charles Heddle, negoziante di questa piazzia, e sopra il Signor Hoot, banchiere di Londra, e presentato il tutto al Governatore; nonostante, non restò soddisfatto, e continuò a trattenermi il barco inoperoso; chiedendomi ora la mia corrispondenza che scripsi dalla Costa Occidentale in questa piazza per prepararmi carico senza perdita di tempo, ora i miei conti di vendite e compre fatte nella detta Costa, ora il giornale e libro di boccaporto del mio secondo; infine, dopo vessazioni infinite, il mattino del 2 corrente, mi dichiarò che il barco era libero, e che poteva continuare le mie operazioni commerciali.

Si cominciò a discaricare; verso le 2 P.M. venne a bordo un Luogotenente della Marina Reale Inglese, mi chiese le carte di bordo; risposi, essere presso le Autorità Inglesi del luogo; scese a terra, e ritornato a bordo, essendo io assente, intimò al mio secondo di sospendere il discarico, perchè egli dichiarava il barco come sospettoso di negriere, se ne impossessava avendone ampia facoltà, essendo Luogotenente della Marina Reale Inglese appartenente a Commissione a tal uopo creata.

Fece rimettere a bordo le merci che erano già dentro una barca da trasportarsi a terra, fece chiudere tutti i boccaporti.

Richiamato a bordo dal mio secondo, avvisai il suddetto ufficiale di quanto era passato col Governatore, ma visto che egli continuava a persistere nella conquitsa del barco, previa intimazione che rispettasse la bandiera Italiana che teneva issata al pich, che rispettasse i sudditi Italiani, che respettasse le proprietà Italiane, mi feci scrivere dallo stesso una dichiarazione del come s'impossessava del barco, e mi arresi alla forza.

Mi occupò militarmente il barco con dodici uomini armati ed un ufficiale.

Perciò protesto altamente contro il Governo Inglese per l'impudente insulto fatto alla bandiera Italiana, sudditi e proprietà, per tutte le consequenze, danni, ed interessi che possano derivare da un cotal atto arbitrario, per tutti gli effetti che di ragione, senza pregiudizio di qualunque altro diritto che mi venga accordato dalle vigenti leggi.

Della, &c.
(Firmato) BARTOLOMEO CASANOVA, *Capitano.*
COPELLO EMANUELE, *Secondo.*

Inclosure 3 in No. 30.

The Acting Vice-Consul of France to Governor Blackall.

Sierra Leone, le 3 *Août,* 1864.

LE capitaine du navire Italien "*Ricarda Schmidt*," M. B. Casanova, arrivé dans ce port le 26 Juillet dernier, e supplie de vouloir bien lui prêter mon aide en ma qualité de Consul Honoraire de France par intérim, relativement à la question qui lui est suscitée, et qui a rapport au navire qu'il commande.

J'ai dû accepter avec empressement cette charge, en ce sens que je la crois conforme au droit des gens, et je e doute pas que votre Excellence ne daigne admettre ma médiation auprès d'elle, en qualité d'Agent Consulaire e deux nations alliées de l'Italie.

Le Capitaine Casanova m'envoie une relation (ci incluse) des faits qui se sont passés sur la rade de Sierra eone, et desquels il résulte que le Lieutenant de la Marine Royale Anglaise, M. Dunlop, s'est emparé par la rce du navire "*Ricarda Schmidt*," sous le prétexte que ses papiers ne sont pas en règle.

Je crois de mon devoir d'appuyer la protestation du dit Capitaine M. Casanova, et j'ose espérer que votre xcellence daignera prendre, à ce sujet, les dispositions les plus convenables, afin de terminer au plus tôt cette faire de la manière la plus pacifique, et en même temps la plus juste.

Je suis, &c.
Le Vice-Consul d'Espagne et Consul Honoraire de France par interim,
(Signé) MIGUEL SUAREZ Y GUANES.

Inclosure 4 in No. 30.

Governor Blackall to the Acting Vice-Consul of France.

Sir, *Government House, Sierra Leone, August* 3, 1864.

I HAVE the honour to acknowledge the receipt of your letter of this day's date, inclosing to me an account drawn up by Captain Casanova, of the Italian ship "*Ricarda Schmidt*," now in this port, of certain occurrences which have taken place with regard to the said ship since her arrival, and which appear to have resulted in the vessel being detained by Lieutenant Dunlop, of the Royal British Navy, on suspicion of having been fitted out for the Slave Trade.

This account also shows that she had been inspected by the Colonial Officers under the same suspicion, but that they did not think themselves justified in detaining her.

You further ask my permission to be considered as the Consular Agent for the Italian Government, as being already the accredited Consul for two Governments in alliance with that of Italy.

It is not necessary that I should enter on the latter question, because I have no power to interfere in the matter in dispute. The power of detaining vessels conferred on the officers in the British navy is totally independent of any authority from me, and those officers act on their own responsibility. The English law refers the decision of such cases to a Special Court here, and to that Court alone.

It will, however, always afford me pleasure to give you any information you may require.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 31.

Her Majesty's Acting Judge to Earl Russell.—(*Received September* 12.)

(No. 6. Spain.)

My Lord, *Sierra Leone, August* 22, 1864.

I HAVE the honour to report to your Lordship that the case of the Spanish ship "*America*" came before the Court for hearing on the 18th instant.

The proceedings lasted two days, and the Court adjourned until this day, the 22nd, when myself and Spanish colleague not agreeing—the Spanish Judge being of opinion the vessel should be released, with costs and damages, and I being of opinion she should be condemned as a lawful prize—the Arbitrator was called in, who required until Thursday, the 25th instant, to give his decision, and I am not able to communicate the result by this mail.

The evidence in the case, with the judgment, will, I hope, be forwarded to your Lordship by the mail which will leave on the 21st proximo.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 32.

Her Majesty's Acting Judge to Earl Russell.—(*Received September* 29.)

(No. 7. Spain.)

My Lord, *Sierra Leone, August* 30, 1864.

I HAVE now the honour to inform your Lordship that judgment was pronounced on the "*America*," in the Mixed Commission Court, on the 25th instant, and the Arbitrator (his Honour Chief Justice Carr) concurring with me in opinion, the "*America*" was condemned as a lawful prize to Her Majesty's ship "Ariel."

The whole of the papers will be forwarded to your Lordship by the ensuing mail.

I have further to state that Captain Short, of Her Majesty's ship "Gladiator," has very kindly consented to convey the Master, and Spanish portion of the crew of the condemned vessel to Teneriffe, to be delivered over to the Spanish authorities; and I avail myself of the same opportunity to send this Report.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 33.

Her Majesty's Acting Judge to Earl Russell.—(Received September 29.)

(No. 31. General.)

My Lord, *Sierra Leone, August 30, 1864.*

I HAVE the honour to inform your Lordship that a brigantine, named the "*Melovia*," having, when discovered, Italian colours, but which were subsequently hauled down by the Master, on being informed he was detained as being equipped for the Slave Trade, was brought into the Vice-Admiralty Court here on the 8th instant, and condemned as a lawful prize to Her Majesty's ship "Dart."

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 34.

Her Majesty's Acting Judge to Mr. Layard, No. 33 (General), September 12, 1864.

[Acknowledging Slave Trade information.]

No. 35.

Her Majesty's Acting Judge to Earl Russell.—(Received December 12.)

(No. 8. Spain.)

My Lord, *Sierra Leone, September 17, 1864.*

I HAVE the honour to forward herewith to your Lordship all the evidence connected with the condemnation of the Spanish ship "*America*," Antonio Bisquert Master, seized by Her Majesty's ship "Ariel" on the 5th of April last, with the Judgments delivered severally by the two Acting Judges and the Acting Arbitrator, and the sentence of condemnation pronounced.

On perusing these papers your Lordship will perceive that a preliminary objection was taken to the jurisdiction of the Court by the Proctor for the claimant under the IIIrd Article of Annex B to the Treaty of 1835, on the ground that two months had elapsed since the case came before the Court, and no judgment had been pronounced nor security demanded. The Spanish Judge differing from me in opinion on this point, the learned Arbitrator was called on, who agreed with me that the objection be overruled.

His Honour the Chief Justice, in his Judgment as Arbitrator, has referred to various cases previously decided upon this point: but in addition to the precedents thus established, I would point out that the delay in this case was caused by circumstances over which the Court had no control, and was not from any default in either of the parties which would have justified the Court in calling for extra security.

The case was brought into Court on the 17th June, just as the wet season commenced. A delay was first occasioned by the claim of Don Miguel Suarez y Guanes to act as Judge under an authority which had not been previously preferred; a further delay took place from the illness, by fever, of Mr. Pike, one of the Surveyors; then it was found necessary to land the rice in order to examine the vessel, and the very heavy rains caused this to be a long and laborious proceeding; and it was also found necessary to measure the quantity of water which the tanks were capable of holding by pumping them out and measuring gallon by gallon.

In addition, however, much delay was naturally caused by the necessity on the part of both the Spanish Judge and myself of having various papers interpreted or translated; at a very early stage, also, the Spanish Judge differed from me in opinion on three several occasions, and these differences led to a reference to the Arbitrator, always causing a delay of two days. Time was certainly asked by and granted to each of the parties, captor and claimant, during the proceedings, but the delay was principally caused by the circumstances to which I have referred.

On carefully reading the Article I felt convinced that the words "where practicable," which occur at the commencement, were intended to have effect throughout: and this impression appears to be fully borne out by the previous decisions on this point. Indeed, I think any other interpretation might be highly

dangerous to the administration of justice in this Court, for delays beyond the two months might, in most cases, be rendered, by a skilful Proctor, almost unavoidable.

A further objection was taken by the Proctor for the claimant, that Lieutenant Buckle, having allowed the ship "*America*" to go free on the 3rd, the seizure by Captain Chapman, on the 5th, was illegal; this point was considered as reserved, but was not finally pressed by the Proctor for the claimant, who must, I think, have perceived how untenable was the objection.

In the Judgment delivered by the Spanish Judge will be found some severe strictures on the conduct of the Marshal of the Court, who is accused of having acted as a partisan; as my Judgment was delivered before I heard that of the Spanish Judge, I had not an opportunity of observing on this accusation which, in my opinion, is totally unfounded, and an unfair attack upon an excellent public officer.

I think the Marshal would have greatly neglected his duty had he failed to make known in the proper quarter the assertion of Manoel Martinez, and endeavoured to clear up the truth of his statement, which I may mention has been strongly corroborated since the condemnation of the vessel by the discovery of three boiler-lids, which do not fit any of the boilers now in the vessel, and probably belonged to those which Martinez asserts were thrown overboard

I think it right to draw your Lordship's attention, for further inquiry, to the fact that, in the information given with regard to the sailing of this vessel from Cadiz, ostensibly for Buenos Ayres, but really for the East Coast of Africa, the captain is named "Manoel Bisquert," already known as a slave-captain. It will be found by the papers that a brother of Antonio Bisquert met the "*America*" at Mozambique in a vessel called the "*Duque de Tetuan;*" and it would be satisfactory to ascertain whether it was really Manoel or Antonio Bisquert who left Cadiz in the "*America*," and what has become of the "*Duque de Tetuan.*"

I have only, in conclusion, to express my satisfaction at having been so fortunate as to have as the Acting Arbitrator in this case, a gentleman of the legal ability and experience of the Colonial Chief Justice and Judge of the Vice-Admiralty Court. The Spanish Judge, no doubt, was placed in an arduous and unpleasant position, being the only Spanish Consul present, and, therefore, looked upon by the owner and crew of the vessel as their especial protector. From an early stage, as I have observed, a difference of opinion arose on various points between the Spanish Judge and myself, and I should have had some diffidence with regard to my own decisions had I not found them on every occasion, including the Judgment, concurred in by the learned Arbitrator.

I have, &c.
(Signed) SAM. W. BLACKALL.

Inclosure 1 in No. 35.

List of Ship's Papers of the Spanish ship "America."

1. Muster roll of the ship "*America*" of 602 tons burthen, with a crew of twenty-four men, including the master. Owned by Senora Viuda de Portilla of Cadiz, and commanded by Antonio Bisquert of Denia.

Attached to this document are the entries and clearances from the time she left Cadiz on the 19th February, 1863, to 30th March, 1864.

2. Log-book of the master Antonio Bisquert.
3. Bill of health from Mozambique dated 15th September, 1863.
4. Royal passport dated at the Palace on the 31st March, 1862, issued at Cadiz on the 22nd August of the same year.
5. Another log-book of the master.
6. Account of cargo delivered at Mozambique and Zanzibar from 22nd July, 1863, to 11th February, 1864.
7. Log-book of Manoel Aveno, the mate.
8 to 15. Certificates of matriculation of the crew.
16. Certificate of matriculation of Antonio Bisquert as pilot of the second class, dated at Cartagena, 17th March, 1858.
17 to 23. Certificates of matriculation of the crew.
24. Passport for D. T. Narana, native of Brazil, to proceed from Havana to Buenos Ayres dated at Havana, 11th April, 1862.
25. Bill of health from Inhambane, dated 7th July, 1863, endorsed at Mozambique, 15th September, 1863.
26. Certificate of matriculation of Manoel Aveno as 3rd pilot, dated at Cartagena, 6th May, 1862.
27. Manifest of the cargo shipped at Zanzibar, and declared before Mr. Hines, the United States' Consul at that place, dated 22nd December, 1863.
28. Receipt for port dues of the "*America*" at Mozambique.
29. Certificate of disembarkation of a seaman at Cadiz.
30. Invoice of goods shipped at Zanzibar.
31. Certificate of matriculation of José Repoll as quarter-master, dated at Cartagena, 30th April, 1851.

Inclosure 2 in No. 35.

Evidence in the case of the ship "America."

Captor's Declaration.

I, the Undersigned, William Cox Chapman, holding the rank of Commander in Her Britannic Majesty's navy, and commanding Her Majesty's ship "Ariel," duly authorized by the Treaty between Great Britain and Spain, dated the 28th June, 1835, for the suppression of the Slave Trade, do hereby declare that on the 5th day of April, 1864, being in latitude 13° 57′ south, and longitude 46° 4′ east of Greenwich, I seized the Spanish ship "*America*," whereof Antonio Bisquert is master, for having violated the said Treaty, and I further declare that the vessel had on board at the time of seizure a crew of 20 persons, no passengers, and no slaves. And I do also declare that I found this vessel in the following state, completely fitted for the Slave Trade as follows:—

2. Four bulk-heads or divisions with several loose planks, and four tons of ebony which would make another slave-deck, a quantity of staves, &c.

3. A main-deck thoroughly adapted for the conveyance of slaves.

4. Some slave stocks.

5. A larger quantity of water both in casks and tanks than requisite for the crew of the vessel.

6. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessels should only be used for other than lawful commerce.

7. A larger quantity of mess gear than requisite for the crew of the vessel.

8. Cooking range much larger than requisite for the crew of the vessel.

9. A very large quantity of rice in husk, upwards of 100 tons, and not entered on the manifest as part cargo for trade; also 4,000 cocoa nuts, both slave food. This vessel arrived at Mozambique in July 1863, and was immediately reported by the Governor-General of Mozambique to the senior officer of Her Majesty's ships on the East Coast of Africa, as being about to engage in the Slave Trade. She left Mozambique and arrived at Zanzibar on the 4th October, 1863, having no ostensible object in view. At this port she had much difficulty in getting an agent, the French Consul who usually acts for Spain objecting to have anything to do with her; eventually a German merchant named Mr. Renber, and Mr. Hines, an American merchant, supplied her with a very small portion of cargo (cloves) which was taken in as a blind, and which even the merchants (European at Zanzibar) laughed at. She then left for Mozambique, having been under the surveillance of Her Majesty's cruizers the whole time. At Mozambique she remained some time, and during the temporary absence of Her Majesty's ship "Orestes," who had been watching her some two months, and left her with sails unbent—she sailed, and was subsequently found at Nosse Beh the latter end of last month by this ship.

I should here remark that by the log of the "*America*," she appears to have arrived on the 5th March 1864, whereas by the French official certificate of arrival she arrived on the 16th, thereby a discrepancy of ten days existing, during which time she may have visited a port in Madagascar, where her slaves were being collected.

I heard in Nos Beh that the "*America*" waa waiting for a brig which was to bring her rice (in the shuck); it was also reported that she was to proceed to a certain rendezvous where she was to meet a vessel with a cargo of slaves. At Majunga it was also reported that in the vicinity of Villa Maca a great number of slaves were collected (several native dhows having brought cargoes from the Coast of Africa, and as I heard) for a large European ship which was expected.

The "*America*" was boarded in longitude 46° 55′ east, and latitude 13°′ 45′ south, by Her Majesty's ship "Ariel" on the 3rd instant, and was followed until the 5th instant, when she was again boarded by me accompanied by the first and second Lieutenants, and the master informed me that he was bound direct to Cadiz, which appeared to me to be decidedly suspicious, as the cargo on board for so large a ship was absurdly small—in fact, not even ballast; viz., 4 tons of ebony, 123 tons of rice (in the husk, scarcely saleable in European markets), 1,800 bags of cloves, worth very little, and 4,000 cocoa nuts, the latter and the rice being slave food, but the rice not entered on the manifest; and I at once decided on placing a prize crew on board to take her to Sierra Leone to be adjudicated before the Mixed Commission Court as it would not delay the ship very materially, the master having informed me he was bound direct to Cadiz, and I thought it would be a great blow to the Traffic in Slaves on the East Coast of Africa to prevent him shipping his cargo, having heard that 4 vessels are employed by the same owners with the same object in view. This vessel is mentioned in the suspicious list from the Foreign Office.

Given under my hand this 5th day of April, 1864.

(Signed) W. C. CHAPMAN, *Commander,*
Commanding Her Majesty's ship "Ariel."

Affidavit of Seizure.

In the British and Spanish Mixed Court of Justice. Colony of Sierra Leone.

Our Sovereign Lady the Queen against the Spanish ship or vessel "*America*," whereof Antonio Bisquert was master, her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same, taken and seized by William Cox Chapman, Esquire, Commander of Her Majesty's steam-ship "Ariel," and against all persons in general, having, or pretending to have any right, title, or interest therein.

I, Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "Ariel," William Cox Chapman, Esquire, Commander, being duly sworn, make oath and say as follows, that is to say:—

1. That the said Commander is duly authorized and empowered according to the Treaty entered into between Great Britain and Spain, signed at Madrid on the 28th day of June, 1835, by a warrant from the Lords of the Admiralty, to make seizures of Spanish vessels engaged in and equipped for the Slave Trade.

2. That from information given by the Governor-General of Mozambique to the Senior Officer on the Eastern Coast of Africa, and also from information received by the Commander-in-chief from the Secretary of State for Foreign Affairs, that the ship "*America*," under Spanish colours, was denounced as suspected of being engaged in the Slave Trade, and which information was communicated to the said Commander by those officers, who were at the same time ordered to watch the movements of the said vessel, and proceed to Nos Beh, a French port on the north-west coast of Madagascar, to which place we proceeded, and on our arrival there we found

her at anchor, and we were there informed that a small vessel was daily expected to join her, and a few da y afterwards a brig arrived there, and transferred her cargo of rice on board the "*America*."

3. We then proceeded to Bembatooka, about 200 miles to the southward of Nos Beh, where there is a considerable traffic in slaves, and we were there told that upward of 1.000 slaves were being collected to be shipped in a European vessel which was daily expected to arrive there. We thereupon again proceeded towards Nos Beh, supposing that the "*America*" was the vessel alluded to, and on the 5th day of April, 1864, being in latitude 13° 57′ south, and longitude 46° 4′ east of Greenwich, a ship under Spanish colours was met with by us about 150 miles to the westward of Nos Beh, and I accompanied the Commander on board of the said ship to ascertain her character and occupation, and upon boarding her we found that she was the said ship "*America*," commanded by one Antonio Bisquert, with a crew of twenty persons, and upon searching the hold of the said ship we ascertained she had on board of her the following articles of Slave Trade equipment, namely,—

(1.) A second or main deck fore and aft.

(2.) A set of wooden stocks, with holes for shackling the feet, capable of containing twelve persons.

(3.) Sixteen large water-casks, and three large iron tanks, capable of containing about 5,000 gallons of water, to the best of my knowledge and belief, a quantity much more than requisite for the use of the crew of the vessel as a merchant-vessel; no certificate having been produced by the master from the Custom-house at the place from whence he cleared outwards, stating that security had been given by the owners of such vessel that such quantity of casks and other vessels should only be used for the reception of palm oil, or other purposes of lawful commerce.

(4.) A large quantity of mess gear, consisting of tin drinking cups, earthenware and tin vessels which could be used as mess kids.

(5.) Four extra boilers in the hold in addition to the boilers on deck for the use of the crew.

(6.) About 130 tons of rough rice, as I have been informed by the master, 3 cwt. of clean rice, 8 large bags of calavances, 6 barrels of beef and pork, 6 barrels and 3 cases of flour, and 19 barrels of biscuit to the best of my knowledge and belief, being a quantity of food beyond what might probably be requisite for the use of the crew of the vessel, the same not being entered on the manifest as part of the cargo for trade.

4. That upon ascertaining these facts the Commander seized the said ship by reason of her being equipped for and engaged in the Slave Trade, contrary to the provisions of the before mentioned Treaty between Great Britain and Spain.

5. That the undermentioned papers and documents now also produced, were given or delivered up to the Commander by the said master in my presence, and they are the whole of the documents, papers, and writings given or delivered up to the said Commander at the time of the seizure of the said ship, who placed the same in my hands, and they are now brought and delivered up in the same plight and condition as when received by me from the said Commander, without any fraud, addition, subtraction, alteration, or embezzlement whatever, save the numbering and marking thereof, and they are hereunder specified and described as follows :—

No. 1. Muster roll.
No. 2. Log book.
No. 3. Bill of health.
No. 4. Spanish passport.
No 5. Log book.
No. 6. List of articles received on board.
No. 7. Captain's log.
A tin case containing the following papers :—
Nos. 8 to 24. 17 private passports.
No. 25. Certificate from Governor of Inhambane.
No. 26. Ditto from Captain-General of Carthagena.
No. 27. Manifest of cargo.
No. 28. Port charges at Mozambique.
No. 29. Certificate of disembarkation of a seaman at Cadiz.
No. 30. Invoice of goods.
No. 31. Certificate of Joze Ripoll.

6. That after the seizure of the said ship I was placed on board as prize officer, and I arrived at this port in the evening of the 14th instant.

7. That the several documents relating to the seizure are, to the best of my knowledge and belief, true and genuine.

8. And lastly, that no change has taken place in the said ship, her hull, or stores, since the time of seizure, save and except the taking in of water at the Cape of Good Hope, and the use of provisions, fuel, and water on the passage up, the crew having lived entirely upon the ship's stores, and that the master and remainder of the crew have been brought to this port.

(Signed) M. J. DUNLOP, *Lieutenant.*

On the 17th day of June, 1864, the said Lieutenant Martin Julius Dunlop was duly sworn to the truth of this Affidavit.

Before me,
(Signed) WM. SMITH, *Registrar.*

Examination of the Master on Standing and Standing Special Interrogatories.

In the case of the ship "*America*," Antonio Bisquert, Master. Monday, June 20, 1864.

Antonio Bisquert, master of the said vessel, being produced, sworn, and examined on standing and standing special interrogatories, deposeth and saith as follows, viz. :—

That he was born in Denia, in the Province of Valencia, where he has always resided. He is a Spanish subject, and has never heen the subject of any other nation. Witness is married, and his wife resides in Denia. Witness was appointed to the command of the vessel by Viuda de Portilla, who has a mercantile house at Cadiz, and where she resides. Witness thinks she is a Spanish subject. Possession of the vessel was given to him by Antonio Portilla, son of Viuda de Portilla, some time in June or July 1862. He cannot remember the exact date. Antonio Portilla lives at Cadiz, and is a Spanish subject. Has known the vessel since 1862. She was built at Sorrosa in Bilbao.

He was present at the capture of the detained vessel. Does not know why she was seized. She sailed under Spanish colours, and there were also a few signal flags on board.

The name of the vessel is "*America*." She has borne that name since witness has known her. She is 602 tons burthen. There were two officers, exclusive of witness, thirteen mariners, one book, one steward, and two boys on board the ship. They were Spaniards, Portuguese, and Italians. Part were shipped at Cadiz in February, 1863, and part in Buenos Ayres in May of the same year by witness.

That neither witness nor any of the officers or mariners on board had any share or interest in the "*America*." She took twenty-six passengers from Cadiz to Buenos Ayres, where twenty-four were landed; the remaining two came in her to the East Coast of Africa, where one of them, by the name of John Edgar, an Englishman, died on shore at Mozambique, and the other, by the name of José Ripoll, died at Inhambane. Witness does not know the occupation of the passengers landed at Buenos Ayres, but John Edgar was an engineer by profession. He was sent by the owner of the vessel to put up an engine for cleaning rice at Mozambique. The other passenger, José Ripoll, was an agent for the house of Viuda de Portilla. Witness does not know whether any of the said passengers had any interest in the vessel.

The voyage began and was to have ended at Cadiz. From Cadiz the detained vessel went direct to Buenos Ayres, whence she afterwards cleared for Mozambique. The vessel then proceeded to Inhambane; but being unable to enter that port, in consequence of the shallowness of water, she went to Mozambique. The detained vessel touched at Inhambane for trading purposes, as well as to recover debts due to the owner of the vessel, and at Mozambique to land the engine, and where some of the cargo was exchanged for rice, and part disposed of for the purpose of purchasing rice for the engine [*sic*]. From Mozambique the vessel went to Zanzibar, where some of the cargo was also disposed of, and witness purchased 1,800 bags of cloves, 4 tons of ebony, and between 4,000 and 5,000 cocoa nuts. The detained vessel then returned to Mozambique, where witness, finding a Spanish barque called "*Duque de Tetuan*," belonging to the same owner, bound to Spain, he transferred to her the rice he left at Mozambique, together with 1,000 bags of cloves, and the engine to be conveyed to Cadiz. Afterwards witness left some of the cargo at Mozambique in charge of the first mate and one sailor to dispose of, while the vessel sailed for Nossé Beh for the express purpose of purchasing rice, and whence 125 or 130 tons of rough rice were shipped. There being no more rice to be purchased at Nossé Beh, the vessel cleared for Cadiz; but it was witness' intention to have called at Mozambique for a short time to look after the cargo he left there, and take up the first mate, but was prevented by being detained by Her Majesty's steam ship "Ariel," before the vessel reached Mozambique.

Witness cannot state in what latitude the capturing vessel was first seen. The detained vessel was first visited at sea by two officers and sailors to search her on the 5th of April last; and after examining her and the papers of the ship, they returned to the capturing vessel. On the following day she was visited by the Commander of the "Ariel," with two or three officers, when the vessel was detained. There was no chase. The vessel was steering for Cadiz at the time of capture. Her course was not altered, nor any additional sail made on the appearance of the man-of-war. Her course was at all times, when the weather would permit, directed to the places where she was destined by the papers.

There were two guns mounted on board, and there are a few muskets, bayonets, and pistols. No resistance was made at the time of capture, nor were there any instructions to resist or to refuse to deliver up any of the ship's papers.

Viuda de Portilla is the owner of the vessel. Witness knows it, because she made him the master of the vessel. Thinks she is a Spanish subject, and resides at Cadiz.

Witness knows nothing about a bill of sale, nor the price paid for the vessel. The detained vessel, if restored, will belong to Viuda de Portilla.

The outward cargo was consigned to witness, but the homeward cargo is consigned to Viuda de Portilla to be delivered at Cadiz. The cargo, if restored, will belong to her.

The lading of the vessel on her last voyage from Cadiz to New York consisted of salt and cork. The cargo on board consists of rice, cloves, ebony, cocoa nuts, and leaden paper, and will belong to Viuda de Portilla if restored.

The passport and other papers which were found on board are entirely true and fair. Knows of nothing to affect their credit. None of the papers have been burnt, torn, thrown overboard, destroyed, concealed, or made away with. There are no papers relative to the vessel and cargo in any other country to witness' knowledge. There was no charter-party. Witness does not know whether the vessel and cargo are insured.

Bulk was broken at Buenos Ayres, where half of the cargo was landed, and afterwards at Mozambique, and at the different ports at which the vessel subsequently touched.

No slave or slaves have been put on board for the purpose of the Traffic in Slaves during the voyage. No stores, sails, or any other articles whatever were taken out of the detained vessel at the time of capture. Nothing has been removed from the vessel since her arrival here, to witness' knowledge.

He does not know the rank of the officer who conducted the search of the vessel. He has been well treated.

Standing Special Interrogatories.

The hatches of the vessel are not fitted with open gratings. The combings of the hatchways are not bored, nor are there any iron bolts or bars to fit them. There are two bulkheads in the vessel, one dividing the provision-room from the hold, and the other dividing the hold from the store-room. There are three or four inch planks on board for the repairs of the vessel. There is a narrow deck laid at the sides of the main hold to receive cargo. There are no shackles, bolts, or handcuffs on board, but there is a pair of wooden stocks with about nine or ten holes in both of them. There are three iron tanks and fifteen or sixteen water-casks on board, and about a dozen empty wine barrels, which are bored and of no service. Cannot say how many gallons of water the three tanks and sixteen water-casks are capable of containing. The three tanks and eight casks were full of water at the time of capture. There are about two or three good mess-kids and eight or nine useless ones on board, and about 200 or 300 earthenware plates for the use of the passengers. There is one middling-size boiler on board which was used for the passengers, and a few small boilers for the use of the officers and crew of the vessel. There are about 125 or 130 tons of rough rice on board, which form part of the cargo of the ship, about 80 lbs. of clean rice, 1 barrel and 3 boxes of flour, 1 barrel of bread, about 50 lbs. of coffee, about 100 lbs. of sugar, 3 or 4 lbs. of tea, 5 or 6 jars of oil, 2 or three barrels of beef and pork, 2 or three bags of peas, 5 or 6 boxes of vermicelli, and some preserved meat for the use of the officers and crew of the vessel.

(Signed) ANTONIO BISQUERT.

This examination was taken and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUGAUD.

Before me,

(Signed) WM. SMITH, *Registrar.*

Examination of the Mate on Standing and Standing Special Interrogatories.

In the case of the ship "*America*," Antonio Bisquert, Master. Monday, June 20, 1864.

Manoel Aveno, mate of the said vessel, being produced, sworn, and examined on standing and standing special interrogatories, deposeth and saith as follows, viz.:—

That Antonio Bisquert is the name of the master of the detained vessel. Has known him for one or two years. He was born in Denia, in the province of Valencia, where he has always resided to witness' knowledge. Has heard that the captain is married, and his wife lives at Denia.

Witness thinks that the owner, Viuda de Portilla, appointed the master to the command of the vessel. Has only known the detained vessel since the commencement of the voyage. She is reported to be built at Bilbao.

Was present at the time of capture. Does not know why she was seized. She sailed under Spanish colours, and had no others to witness' knowledge.

The name of the detained vessel is "*America.*" Has known her since he joined her. He does not know whether she has borne any other name. Witness thinks she is 602 tons burthen, but is not certain. There were nineteen officers and mariners, exclusive of the master. They were Spaniards, Portuguese, and Italians. Witness does not know who shipped them; some came on board at Cadiz, and some at Buenos Ayres.

Witness has no interest in the vessel, nor does he know whether any of the other officers or mariners had. He is a mate on board. The vessel took passengers from Cadiz to Buenos Ayres, but he cannot tell the number. They all disembarked at Buenos Ayres, except two who came to Mozambique with the vessel. He does not know whether the said passengers had any interest in the vessel, nor whether they had any concern or authority, directly or indirectly, as regards the ship or cargo. The voyage began and was to have ended at Cadiz, whence the vessel cleared direct for Buenos Ayres, where part of the cargo and the passengers were landed. From Buenos Ayres the vessel cleared for Inhambane, whither she proceeded direct; but being unable to get in on account of the shallowness of water, the vessel went to Mozambique to dispose of some of the cargo, and also to land an engine which they brought from Cadiz. The detained vessel then proceeded to Zanzibar, where a small portion of the cargo was disposed of, and 1,800 bags of cloves purchased and shipped on board the ship. The vessel then returned to Mozambique, where the remaining cargo was discharged, and where the master transshipped on board the barque "*Duque de Tetuan*" 1,000 bags of cloves and some rough rice, the quantity of which he cannot say, to be conveyed to Cadiz. Afterwards the vessel proceeded to Nossé Beh to purchase rice, where they purchased above 100 tons. There being no more rice to be procured, the vessel cleared for Cadiz with the intention of calling at Mozambique to inquire about the cargo left there in charge of the mate and one seaman; but before reaching Mozambique the vessel was detained by Her Majesty's ship "Ariel."

Witness does not know the latitude in which the capturing ship was first seen, nor the date of the month. It was at sea. A boat from the man-of-war with an officer visited the "*America*," and after searching her and examining her papers she returned to the capturing ship. The next day the boat returned to the "*America*," when she was detained. There was no chase, nor was her course altered on the appearance of the man-of-war. The course of the vessel was at all times, when the weather would permit, directed to the places for which she was destined by her papers.

There are two guns mounted on board, and some muskets, but witness does not know the quantity. No resistance was made at the time of capture, nor were there any instructions to destroy, conceal, or refuse to deliver up any of the ship's papers.

Witness has heard that Viuda de Portilla is the owner of the vessel, and that she lives at Cadiz. He does not know of what nation she is, nor how long she has lived there. He does not know whether there was any bill of sale made to the owner of the vessel, nor the price paid for her; but believes that the vessel, if restored, will belong to Viuda de Portilla, because he has never heard the name of any other owner.

The outward cargo was consigned to the master, but he cannot tell to whom the homeward cargo is consigned, nor does he know to whom it will belong, if restored. Witness does not know the lading of the vessel, on her last voyage. The present cargo consists of rice, cloves, ebony, and cocoa nuts.

Witness believes that the passport and other papers found on board the ship are entirely true, and fair. Knows of nothing to affect their credit That no papers or writings belonging to the detained vessel have been burnt, torn, thrown overboard, destroyed, or concealed. That he does not know whether there are in any country, any papers relative to the ship or cargo. There was no charter-party to witness's knowledge. He does not know if the vessel is insured.

Bulk was broken at Buenos Ayres, where part of the cargo was landed, and subsequently at Mozambique, and other places to which the vessel proceeded during the trading voyage.

No slave or slaves have been put on board the vessel for the purpose of the Traffic in Slaves during the voyage. No stores, sails, or any other articles whatever, were taken out of the detained vessel at the time of capture. Nothing has been removed from her since her arrival here. That he does not know the rank of the officer who conducted the search. He has been well treated.

Standing Special Interrogatories.

The hatches of the vessel are not fitted with open gratings. The combings of the hatchways are not bored, nor are there any iron bars or bolts on board. There are two bulkheads in the hold of the vessel. There are two or three planks on board for the use of the vessel. There is a narrow deck laid at the sides of the mainhold to receive cargo. There are no shackles, bolts, or handcuffs on board. There are three tanks and 15 or 16 water-casks; also some empty wine-casks which are of no use, having holes in them. Does not know the exact quantity of water the said tanks and water-casks are capable of containing. There are some mess kids and plates on board for the use of the officers and crew, but witness cannot tell their number. There are small iron boilers on board for the use of the crew, and a middling size one which was used for the passengers. There are about 100 or 120 tons of rough rice which formed part of the cargo, also 1 quintal of clean rice, 1 barrel and 3

boxes of flour, 2 or 3 bags of peas, 2 or 3 bags of vermicelli, 1 or 2 barrels of pork, and a small quantity of sugar for the use of the officers and crew of the vessel.

(Signed) MANUEL AVENO.

This examination was taken, and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUCAUD.

Before me,

(Signed) WM. SMITH, *Registrar.*

Examination of the Boatswain on Standing and Standing Special Interrogatories.

In the case of the ship "*America*," Antonio Bisquert, Master. Tuesday, June 21, 1864.

Francisco Morales, boatswain of the said vessel, being produced, sworn, and examined on standing and standing special interrogatories, deposeth and saith as follows, viz :—

That the master of the said vessel is named Antonio Bisquert. Has only known him from the commencement of the voyage. He does not know where he lives, nor whether he is married. He does not know who appointed the master to the command of the vessel. Witness found the captain on board when he was shipped, and therefore cannot say when he took possession of her, nor by whom such possession was given to him. He first saw the vessel at Cadiz about 16 or 17 months ago. Does not know where she was built. He was on board at the detention of the ship. Does not know why she was seized. She sailed under Spanish colours, and had no others on board to witness' knowledge.

The name of the detained vessel is "*America*." He does not know how long she has borne that name, nor the tonnage of the vessel. There were 19 officers and mariners on board exclusive of the master. They were Spaniards and Portuguese, some were shipped at Cadiz, and others at Buenos Ayres, but he does not know by whom they were employed. Witness was engaged by the captain at Cadiz about a year and five months ago.

He does not know whether any of the officers or mariners had any share or interest in the vessel or cargo. He is boatswain on board. There were passengers on board, but witness cannot tell their number. They were all landed at Buenos Ayres but two, who came to the East Coast of Africa with the vessel; one of them died at Inhambane, and the other at Mozambique. The passengers landed at Buenos Ayres were Spaniards. One of the passengers who came to the coast was an Englishman whose name he did not know, the other was a Spaniard by the name of José Ripoll. He does not know whether any of the said passengers had any interest in the vessel; they did not manifest any authority on board.

The voyage began and was to have ended at Cadiz. From Cadiz the vessel cleared for Buenos Ayres, where most of the passengers were landed, and a portion of the cargo The vessel then went direct to Inhambane in the Mozambique Channel, but being unable to enter the port she proceeded to Mozambique, where they landed the engine they had on board, and disposed of some of the cargo. Afterwards the vessel proceeded to Zanzibar to sell more of the cargo and purchase cloves, and where 1,800 bags of cloves were shipped. The detained vessel returned to Mozambique, where they transferred 1,000 bags of cloves and the engine to a Spanish barque "*Duque de Tetuan*" to be conveyed to Cadiz, and after landing the remainder of the cargo there in charge of the first mate and a seaman, the vessel proceeded to Nos Beh to purchase rice, and where they shipped between 125 and 130 tons of rough rice, which is now on board the "*America*." The detained vessel was returning to Mozambique to look after the cargo left there and to take in the mate and seaman, and to proceed to Cadiz, when she was intercepted by the English man-of-war.

He does not know the latitude in which the capturing ship was seen. There was no chase, nor was there any attempt to escape capture. The vessel was steering for Mozambique to take up the first mate and seaman they had left there at the time of capture. Her course was at all times, when the weather would permit, directed to the port to which she was destined by her papers.

There are two guns mounted on board, and there are also about 17 or 18 muskets. No resistance was made at the time of capture, nor were there any instructions to resist or to refuse to deliver up any of the ship's papers.

Witness does not know who is the owner of the vessel, nor of what country such owner is subject, nor where he resides. He does not know whether there was any bill of sale made to the aforesaid owner, nor the price paid for the vessel, nor to whom the ship will belong if restored.

That he does not know who are the owners or consignees of the cargo on board. He does not know the lading of the vessel on her last voyage. The cargo on board consists of rough rice, cloves, ebony, 4,000 or 5,000 cocoa nuts, and eight or nine boxes of leaden papers.

He believes that the passport and other papers which were found on board the vessel are true and fair. Knows of nothing to affect their credit. That none of the papers of the vessel have been burnt, torn, thrown overboard, destroyed, concealed, or made away with. He does not know whether there are in any country any papers belonging to the vessel and cargo. He does not know whether there was any charter-party. He does not know whether the vessel is insured.

Bulk was first broken at Buenos Ayres, and afterwards at Mozambique and Zanzibar. That no slave or slaves have been put on board for the purpose of the traffic in slaves during the voyage. No stores or any other articles were taken out of the detained vessel at the time of capture. Nothing has been removed from her since her arrival here. He does not know the rank of the officer who conducted the search. He has been well-treated.

Standing Special Interrogatories.

The hatches of the vessel are not fitted with open gratings. The combings of the hatchways ars not bored, nor are there any iron bars on board. There is only one bulkhead in the hold of the vessel. There are only a few planks on board for the repairs of the ship. There is a narrow deck laid at the sides of the main hold to enable the sailors to pass backwards and forwards, and also to receive cargo.

There are no shackles, bolts, or handcuffs on board, but there is one wooden stock. There are about fourteen or fifteen water-casks, some of which cannot hold water, three iron tanks, and about fourteen or fifteen empty wine barrels. The water-casks and the tanks are capable of containing forty pipes of water. There are a few cooking utensils on board for the use of the crew. There are a few mess kids, but he does not know their number.

There are about 125 or 130 tons of rough rice which form part of the cargo, and there is a small quantity of clean rice, peas, and flour, for the use of the officers and crew of the vessel.

(Signed) FRANCISCO his ✕ mark MORALES.

This examination was taken and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUCAUD.

Before me,

(Signed) WM. SMITH, *Registrar*.

Claim of the Master for the Vessel and Cargo.

Ship "*America*," Antonio Bisquert, Master. June 24, 1864.

The claim of the said Antonio Bisquert, the master of the said ship "*America*," a subject of Her Catholic Majesty the Queen of Spain, for the said ship, her tackle, apparel, and furniture, goods, wares, and merchandize, as were on board the said ship at the time of the capture thereof by Her Majesty's ship "Ariel," William Cox Chapman, Esquire, Commander, and brought to Sierra Leone, and for the said ship, her tackle, apparel, and furniture, the sole property of Mrs. Widow Portilla, an inhabitant and native of Cadiz, and her cargo, the sole property of the said Mrs. Widow Portilla, and as protected by the Treaty or Convention between Her Britannic Majesty and Her said Catholic Majesty, signed at Madrid on the 28th day of June, 1835, and for all costs, charges, losses, damages, demurrage, and expenses, as have arisen, or shall or may arise, by means of the capture and detention of the said ship and her cargo as aforesaid.

(Signed) ANTONIO BISQUERT.

Affidavit of the Master in support of the Claim.

Ship "*America*," Antonio Bisquert, Master. June 24, 1864.

Appeared personally, the said Antonio Bisquert the master of the said ship, and maketh oath that he is a subject of Her Catholic Majesty the Queen of Spain, and was master of the said ship at the time of the capture thereof by Her Majesty's ship "Ariel," William Cox Chapman, Esquire, Commander, and that the said ship was so captured on the 5th day of April last past, in the prosecution of her voyage from Nossé Beh, on the Coast of Madagascar, to Cadiz, with a cargo consisting of general merchandize, and brought to Sierra Leone; and he further maketh oath and saith that Mrs. Widow Portilla of Cadiz, a subject of Her said Catholic Majesty, was at the time of the said capture, and now is, the true, lawful, and sole owner and proprietor of the said ship "*America*," her tackle, apparel, and furniture, and of the said cargo on board the same. And the deponent further maketh oath that he verily believes the said ship and cargo are protected by the Treaty or Convention between Her Britannic Majesty and Her said Catholic Majesty, and he further maketh oath that no person or persons other than the person before mentioned hath or have any right, title, or interest in the said ship, her tackle, apparel, and furniture, goods, wares, and merchandize on board the same, at the time of capture and seizure thereof; and that he is duly authorized to make the claim hereunto annexed, and that the same is a true and just claim, and that he shall be able to make due proof and specification thereof.

(Signed) ANTONIO BISQUERT.

On the 27th day of June, 1864, the said Antonio Bisquert was duly sworn to the truth of this affidavit, and of the claim hereunto annexed, the same having been first read and explained to him through the interpretation of Victor Bareste, who was first sworn faithfully to interpret between the parties in this cause.

(Signed) VICTOR BARESTE.

Before me,

(Signed) WM. SMITH *Registrar*.

Examination of the Master on Special Interrogatories.

In the case of the ship "*America*," Antonio Bisquert, Master. Thursday, June 30, 1864.

The master of the said vessel being produced, sworn, and examined on special interrogatories put on behalf of the captors by permission of the Judges of the said Court, deposeth and saith as follows, viz.:—

That the name of the master of the "*Duque de Tetuan*," to which vessel he transferred some rice and other articles at Mozambique to be conveyed to Cadiz, is Manuel Bisquert, a brother to witness. That the detained vessel called at Algoa Bay on her passage to this port for a supply of water and provisions. There was then about twenty-four or twenty-five days' supply of water on board. Witness cannot recollect the date of their arrival at Algoa Bay, but the vessel remained there for two days and a-half.

(Signed) ANTONIO BISQUERT.

This examination was taken and the truth thereof sworn to through the interpretation of Alexander Boucaud, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) ALEXANDER BOUCAUD.

Before me,

(Signed) WM. SMITH, *Registrar*.

Surveyors' Report.

In the case of the Spanish ship "*America*," whereof Antonio Bisquert was Master.

To their Honours the Judges of the said Court.

In pursuance of a Commission of Survey and Inspection to us directed, dated the 23rd day of June, 1864, we proceeded on the 24th of June and following days, 27th, 4th of July, 11th, 13th, 15th, and 16th, and inspecting the hatchways we found them fitted with the close hatches usual in merchant ships, which we had removed to allow us to go below for the purpose of thoroughly examining the ship and cargo on board of her.

1st. We found the hold encumbered with ballast about 150 tons, on top of which was stowed, in bulk, a large quantity of rough rice, or rice in the husk, about 140 tons or thereabouts, also a quantity in bags. Finding it impossible to get at the bottom of the ship, we recommended that a portion of the rice should be landed, and the rest trimmed into the mainhold to allow us to examine the fore hold and peak.

2ndly. We found the ship had permanent lower deck beams, built with the ship, running fore and aft the hold, on which there still remained a large portion of deck secured in the usual manner to the beams, affording a height of 5 feet 9 inches between the upper part of the lower deck, and lower part of the upper deck beams. The fore hold having been cleared, as also the fore peak, we thoroughly searched them, and lifted the limber boards and searched between the limbers; we also found in the fore hold between decks, 31 demijohns empty, capable of containing 4 gallons each, or 120 gallons in all. We recommended the rice to be shifted aft, and ballast forward, to clear the main hold for inspection.

3rd. In the main hold, between decks, we found one pair of leg stocks, capable of securing twelve persons. We have here to remark these are unusual in merchant trading ships. The lower main hold having been cleared to the bottom, we searched it minutely, lifting limber boards and feeling the limbers; we also recommended the cargo and ballast should be shifted from the after hold into the main for further survey.

4th. We visited the "*America*" in furtherance of our survey, and examined the after hold and store room, the latter being parted off from the hold by means of a bulk-head. We found in the lower hold about fifty billets of ebony, about 8 feet in length, also a number of cocoa nuts loose; these we had shifted to enable us to lift the limber boards, search the limbers, and removed three planks from the pump well, and chain locker. In the run we found three iron tanks for containing water, two above and one below; between decks we found 13 empty casks, each capable of containing 130 gallons, and 12 kegs (empty), capable of containing 15 gallons each. On searching the after store room, which we entered through a small scuttle in the cabin deck, we found it fitted with a sail locker, the port side containing sails, and a similar locker the starboard side, containing 2 bags about three bushels each of small beans or calavances, also 3 cases of maccaroni. All round the stern and transoms were lockers containing various articles of crockery, cutlery, &c. We found in a cask with one head out, various articles of culinary purposes, among which were 76 tin drinking mugs or pannikins, each holding about half-a-pint, and triced up to the beams were 25 tin tubes or suction pipes for sucking water from a cask or tub. These are very unusual in merchant trading ships.

5th. We again proceeded on board detained ship "*America*," and having had the whole of the bags of cloves (forming a part of the cargo) shifted, we put on one side one bag in every fifty (there being about 800 bags in all); these reserved bags we turned out and examined them. Finding they contained nothing but cloves we had them returned to their bags.

6th. It being considered absolutely necessary that the exact quantity of water the three iron tanks before-named are capable of containing should be proved beyond doubt, we arranged to fill the two upper tanks with water, and measure them off by Imperial gallon measure into the lower tank; this was a tiresome and tedious operation, but for the satisfaction of all concerned was necessary.

7th. We again proceeded on board the "*America*," for the purpose of measuring and ascertaining the contents of the three iron tanks in question; the two upper tanks having been perfectly filled to the satisfaction of all parties concerned, we commenced pumping off and measuring, by Imperial gallons, the contents of the upper tank, the starboard side, emptying each gallon measure into the lower and larger tank. We proved the starboard (upper) tank to contain 770 gallons. The port tank above being the same size, it was agreed on all sides that the measurement of the one was ample proof of the contents of the other. We then continued to measure off from part of the upper tank sufficient to fill the lower tank, which contained 160 gallons more than the upper tanks—

The lower tank containing ..	..	..	930 gallons.
2 upper tanks 770 gallons each	..	..	1,540 ,,
13 casks 130 ,,	..	..	1,690 ,,
12 ,, 15 ,,	..	..	180 ,,
31 demijohns 4 ,,	..	..	124 ,,
Total	..	..	4,464 ,,

And we hereby declare that we have taken this survey as minutely, impartially, and correctly as we were capable of doing.

Given under our hands at Freetown, Sierra Leone, this 18th day of July, 1864.

(Signed) THOS. PIKE.
J. PINNOCK.

The quantity of deck now fitted to the lower deck beams would form half of a complete and perfect deck.

(Signed) THOS. PIKE.
J. PINNOCK.

We also found the cooking apparatus of large dimensions, but we saw only one boiler besides the usual cooking utensils for the crew; this boiler will contain about four gallons.

(Signed) THOS. PIKE.
J. PINNOCK.

On the 19th day of July, 1864, Thomas Pike and James Pinnock were respectively sworn to the truth, impartiality, and correctness of the foregoing survey.

Before me,
(Signed) WM. SMITH, *Registrar.*

Affidavit of Prize Officers to account for apparent discrepancies between the Affidavit of Seizure and Report of Commissioners of Survey.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master.

We, Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "Ariel," and prize officer of the said ship "*America*," John Francis Gledestanes Leacock, Sub-Lieutenant, and John Skinner Snell, Acting Second Master of the said steam-ship, and Assistant Prize officers, being duly sworn, make oath and say as follows, that is to say:—

And first we, the said Martin Julius Dunlop, John Francis Gledestanes Leacock, and John Skinner Snell, severally say:—

1. That when we first proceeded on board the said ship as prize officers, after her seizure, there were 11 water-casks on deck, mostly full, and 5 others down below empty; that 10 of these 11 casks were, after we left the Cape, struck down below, and 2 or 3 were shook; there were also 60 empty demijohns, capable of containing about 4 gallons each, a number of which have, in the meantime, been broken. And that the captain of the said ship, the day before we arrived at Algoa Bay, declared, in our presence, that he had then forty-two days' water left in the tanks of the vessel.

2. And I, the said Martin Julius Dunlop, for myself, say, that when I searched the said ship there were four extra boilers in all on board of her, two were down below in the after store-room, and two were in the peak or fore store-room; and one out of the after store-room was used by the prize crew on the passage up, and left on board.

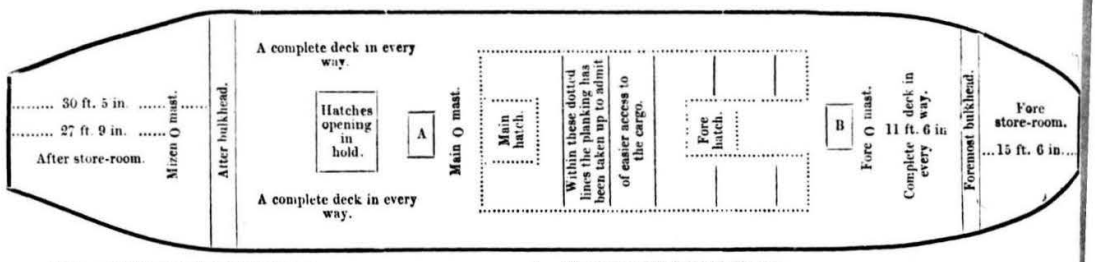
3. And I, the said John Skinner Snell, for myself, say, that I saw when the vessel was searched two boilers in the fore peak, and one was brought up from the after store-room for the use of the prize crew. I did not myself go down into the latter store-room, but Lieutenant Dunlop informed me at the time this boiler was brought into use that there was still another remaining in the after-hold. And I further say that I have carefully examined the second, or main-deck, of the said ship, and I find it has been a regular-built deck; but a portion of the planking has been removed in the midship section for the purpose of working the cargo, and the beams still remain in their places, which will appear by the plan hereunto annexed, which is a true and correct plan as far as it is possible for me to make it.

4. And I, the said Martin Julius Dunlop, for myself, do further say, that the difference in the number of casks, boilers, and demijohns may be accounted for from the captain and the whole of the crew of the said ship being left on board, the captain having been allowed to navigate the said ship to the port of Sierra Leone, I being merely on board with the prize crew for the purpose of seeing she was taken safely into this port.

(Signed) M. J. DUNLOP.
J. F. G. LEACOCK.
J. S. SNELL.

On the 26th day of July, 1864, the said deponents, Martin Julius Dunlop, John Francis Gledestanes Leacock, and John Skinner Snell, were severally duly sworn to the truth of this affidavit at Freetown.

Before me,
(Signed) WM. SMITH, *Registrar.*



Notes—(A.) Pump well and chain lockers.
(B.) Chain locker.
Length over all, 141 feet 9 inches.
Extreme breadth, 28 feet 8 inches.
Length from stemson to foremast, 27 feet.
" foremast to mainmast, 54 feet.
" mainmast to mizenmast, 33 feet.
" mizenmast to sternpost, 27 feet 9 inches.

Dimensions of "dotted line" space—
Breadth forward, 20 feet.
Ditto aft, 18 feet 6 inches.
Length, 38 feet 3 inches.
The straight lines within the dotted lines denote the ship's beams.

(Signed) J. S. SNELL, *Second Master, Acting.*

Examination of Lieutenant M. J. Dunlop on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Saturday, July 30, 1864.

Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "Ariel," being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz:—

That Commander Chapman sent Lieutenant Buckle, on the 3rd of April, to search and examine the Spanish ship "*America*" two days prior to the detention of that vessel. That, to the best of witness' belief, the entry made in log-book (No. 5), under date the 3rd of April, 1864, is in the handwriting of Lieutenant Buckle. That he does not know anything about the interlineation of the word "apparently" in the said entry, nor when such interlineation was made, nor whether any of the other officers were present at the time.

That witness does not know whether Lieutenant Buckle or any of the officers or men who accompanied him when he boarded the "*America*" and made the said entry understood the Spanish or French language.

That Lieutenant Buckle remained on board the "*America*" when the said entry was made for several hours, but witness cannot state the exact time, nor whether he was searching her all that time.

That to the best of witness' belief the "Ariel" lost sight of the "*America*" for several hours on the night

of the 4th of April, but the time was so short that she could not possibly have put into any port and taken other things on board.

That the rough rice and other articles referred to in witness' affidavit of seizure, and also mentioned in the Captor's Declaration, were found on board the "*America*" when Lieutenant Buckle boarded her, with the exception of the wooden stocks, which were subsequently discovered by witness.

That when the "*America*" was first descried by the "Ariel," after she left Nos Beh, it was a dead calm. The "Ariel" at the time was under steam. That to the best of witness' knowledge and belief the head of the "*America*" was to the westward at the time she was first seen; but as she was becalmed, witness cannot say whither she was steering for. If the "*America*" were steering for Cadiz it would not be the same course to Mozambique.

That Mr. Persey Douglas, a midshipman, was, to the best of witness' belief, the only officer who accompanied Lieutenant Buckle on board the "*America*" on the said 3rd of April.

That 4,464 Imperial gallons of water would be more than sufficient for a crew of twenty persons on a voyage from Nos Beh to Cadiz. The excess of water, in witness' opinion, would be about 3,000 gallons. He is unable to state the number of passengers the "*America*" can carry, but the cabins of that vessel are, in their present state, not fit to accommodate passengers.

That to the best of witness' belief the rough rice on board the "*America*" could, if necessary, be made fit for human food by being boiled and rubbed. Witness has seen rough rice on board condemned slave-dhows on the East Coast of Africa.

That the word "probably," made use of in his affidavit, had reference to the length of the voyage. And in regard to the provisions, minus the rough rice, witness does not think them too much for the said crew and the number of passengers the "*America*" is capable of carrying. The voyage from Nos Beh to Cadiz should not occupy more than ninety days. Witness not being engaged in trade cannot say whether cocoa-nuts are or are not articles of lawful trade in Europe.

Witness is uncertain as to whether there be a Spanish Consul at Nos Beh, but he does not think there is a British Consul there. That he is unable to state the exact number of loose planks on board the "*America*." It is usual to have some planks for repairs on board merchant-vessels, but the planking mentioned in Commander Chapman's declaration applied to those removed or taken up from the second deck. Witness not being in trade, is unable to say as to whether or not the ebony is an article of legitimate commerce. He has never seen two bulkheads in smaller vessels than the "*America*" engaged in lawful trade. He cannot state the number of staves on board, nor has he ever heard that staves of old casks were fit to form a slave-deck, but he considers the staves on board capable of being formed into casks. Witness is unable to form an opinion as to what purpose the stocks might or might not have been intended. He has visited Spanish vessels of nearly the same size as the "*America*" engaged in lawful trade without seeing similar stocks on board. He is not aware that the stocks are kept on board Spanish vessels by virtue of a law or regulation of Spain.

Witness considers that the mess-gear on board would be too many for the crew and twenty passengers. He cannot state the number of passengers the mess-gear might be sufficient for, as that would entirely depend upon the class of passengers.

He has already stated that he does not know how many passengers the "*America*" can carry, but he thinks the cooking range is capable of cooking for a large number of slaves.

That the captain having refused to go direct to Sierra Leone, although by his own acknowledgment he had forty-two days' water on board, and representing that he was anxious to examine the leaks of the vessel; and witness wishing also to communicate with Admiral Walker, and being off Algoa Bay at the time, he did give permission to the captain of the "*America*" to put into that port. To the best of his knowledge and belief, the papers annexed to the interrogatories marked A, B, C, are in the handwriting of witness. That the water, firewood, and provisions, referred to in the papers mentioned in the foregoing interrogatory, were taken on board at Algoa Bay. With regard to the paper marked D, witness is unable to state anything with certainty, but he believes the genuineness of the document.

That there were twenty-six persons on board the "*America*" from the time witness took possession of her until after arrival at Algoa Bay. He is unable to state the precise quantity of water used, as there were no restrictions of any kind placed on the consumption of water. In reply to witness' suggestions respecting the use of water he was assured by the captain (until the beginning of May) that he had plenty on board.

That the number of the English prize crew on board the "*America*" was sixteen, officers included. An English officer and six men were on duty during the greater part of the voyage, some of them being armed, but witness is unable to say whether they were constantly on the watch.

(Signed) M. J. DUNLOP, *Lieutenant.*

This examination was taken, and the truth thereof sworn to.

Before me,

(Signed) WM. SMITH, *Registrar.*

Affidavit of Messrs. Hazelborg and Reale on behalf of the Claimant.

In the case of the ship "*America*," Antonio Bisquert, Master.

We, Charles Frederick Hazelborg, of Freetown, in the Colony of Sierra Leone, merchant, and Marius Reale, master of the French vessel the "Napoleon," now riding at anchor in the port of Sierra Leone, severally make oath and say as follows, that is to say:—

1. That by the leave of this honourable Court we proceeded yesterday on board the "*America*."

2. We inspected the casks on board, and among them we observed 5 empty bread casks which would contain from 100 to 90 gallons each. The said five casks are in a bad condition, being kept together with only 3 hoops on one end of each cask. Several staves are broken about the bilge. The said 5 casks are originally bread casks. We gauged the water-casks, and found them to contain from 112 to 120 imperial gallons each.

3. We then proceeded to examine the 12 kegs on board, and found them to be wine octaves. They are in a bad state, the wine having leaked out during the voyage.

5. We also examined the lower-deck of said vessel, and found the beams laid fore and aft built in with the ship as the upper deck. This is called the second deck, and one-fourth of it was planked over at the time the ship was built. The measurement of deck is as follows: abaft main deck, 40 feet long by 30 feet wide;

forward, 12 feet long by 20 feet wide. We also found a small passage each side from forward to aft about 4 or 5 feet wide, and this is the only portion that was planked or decked the whole length of the ship. The quantity of deck now fixed to the lower deck beams would form about one-fourth of flooring.

5. We then inspected the galley stove, and found it suitably proportioned to the size of the said vessel. There are several baking apartments in the galley, and the largest boiler is about 4 imperial gallons. The length of galley is 6 feet; breadth, 3 feet; height, 2 feet 6 inches.

6. We say that suction pipes are usually carried by French vessels.

7. We further say that stocks are also carried by French vessels. The stocks now on board the "*America*" are capable of confining six men. They contain twelve holes.

(Signed) C. F. HAZELBORG.
M. REALE.

On the 30th day of July, 1864, the said deponents, Charles Frederick Hazelborg and Marius Reale, were severally duly sworn to the truth of this affidavit at Freetown. The latter through the interpretation of Victor Victor Bareste, who was first duly sworn to interpret between the parties in this cause.

(Signed) V. BARESTE.

Before me,

(Signed) WM SMITH, *Registrar.*

Examination of Thomas Pike, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America,*" Antonio Bisquert, Master. Monday, August 1, 1864.

Thomas Pike, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz:—

That he did not count the number of bags of rice on board the "*America,*" but believes they contained the same description of rice as that in bulk, and they were included in the 140 tons referred to in the report of survey. He cannot state that it was for the convenience of taking in cargo, and on account of ventilation, that a portion of the permanent lower deck planking was removed. If witness had seen the description of cargo to be taken, he would then be able to form an opinion, but at present there is no cargo on board which would render it necessary to remove the planking.

That it is necessary for a vessel of the size of the "*America*" engaged in lawful trade to have permanent lower deck beams built with the ship fore and aft the hold for the purpose of strengthening her, but the deck itself is not absolutely necessary.

Witness states that the ebony on board cannot be used for a slave-deck. That there are no loose planks and staves on board the "*America*" to form a slave-deck. That the cooking apparatus on board the "*America*" is not fitted with utensils to cook for a large number of persons.

Witness thinks that the apparatus above-mentioned would measure about 6 feet by 3, and 27 inches high in the clear. It is of the size usual in merchant-vessels carrying passengers. That none of the casks included in the report of survey appeared to witness to be bread casks. At present some of those casks are unfit to hold water, but by repair they could be made to contain water.

That he cannot state that the kegs on board were wine and spirit kegs which leaked out during the voyage, and which formed portion of the cargo of the "*America.*"

(Signed) THOS. PIKE.

This examination was taken, and the truth thereof sworn to.

Before me,

(Signed) WM. SMITH, *Registrar.*

Examination of James Pinnock, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America,*" Antonio Bisquert, Master. Monday, August 1, 1864.

James Pinnock, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz.:—

That witness did not count the number of bags of rice on board the "*America,*" but believes they contained the same description of rice as that in bulk. Witness saw one or two of the bags which had burst; and they contained rough rice. As the rough rice was neither measured nor weighed he cannot state the precise quantity; but that in bulk and in bags would not exceed 150 tons. Witness does not think that it was for the convenience of taking in cargo or for ventilation that a portion of the permanent lower-deck planking was removed.

That some vessels of the size of the "*America,*" engaged in lawful commerce, have permanent lower-deck beams built with the ship fore and aft the hold. Witness considers that the lower-deck is not absolutely necessary; it would be advantageous for stowing some description of cargo, as it would keep dry goods, &c., from being injured by salt in the hold. That the ebony on board the "*America*" could not be used for a slave-deck. There are no loose planks and staves on board sufficient to form a slave-deck.

That the cooking-range is sufficient to cook for a large number of persons; but there are not culinary utensils for a great number of persons. That he did not take the measurement of the cooking apparatus, but it is fit for a large ship carrying a number of passengers.

That there are several bread or flour casks, incapable of holding water, not included in the Report of Survey; but those mentioned, by coopering, would contain water. That the kegs on board might have contained wine or spirits; but it is impossible for witness to state that they have leaked out during the voyage, and that they formed a portion of the cargo of the "*America.*"

(Signed) J. PINNOCK.

This examination was taken, and the truth thereof sworn to.

Before me,

(Signed) WM. SMITH, *Registrar.*

Examination of Thomas Pike, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

Thomas Pike, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant, by permission of the Judges of the said Court, deposeth and saith as follows, viz. :—

That 4,464 gallons of water is an unnecessary quantity for a vessel of the size of the "*America*" going from Nos Beh to Cadiz, with a crew of twenty persons; reckoning the voyage to occupy ninety days, there will be excess of 2,660 gallons of water. As witness is unable to state the number of passengers the "*America*" is capable of carrying, he cannot say as to what quantity of water they would require.

That he has not seen any instance wherein rough rice has been used for human food without being first cleaned. Witness did not observe any utensils on board for cleaning the rough rice so as to render it eatable.

That the smallest size of a mess-tub witness has seen on board merchant-vessels could contain about four quarts.

That the "*America*" is not fitted to carry more than sixteen cabin passengers. She has no accommodation for second-class passengers.

That in the opinion of witness ninety days would be sufficient to take the "*America*" from Nos Beh to Cadiz.

That the mess-gear on board the "*America*" would not be too many for the crew and sixteen cabin passengers.

That if no restrictions were placed on the consumption of water on board a merchant-vessel, witness is unable to say what quantity each person (passengers or crew) would consume, including what may be required for washing and cooking.

(Signed) THOS. PIKE.

This examination was taken, and the truth thereof sworn to.
Before me,
(Signed) WM. SMITH, *Registrar*.

Examination of James Pinnock, Surveyor, on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

James Pinnock, Esquire, Surveyor to the Mixed Court, being produced, sworn, and examined on special interrogatories put on behalf of the claimant, by permission of the Judges of the said Court, deposeth and saith as follows, viz. :—

That 4,464 gallons of water would be too much for a vessel of the size of the "*America*," going from Nos Beh to Cadiz, with a crew of twenty persons. The excess would be 2,464 gallons, reckoning the voyage to occupy 100 days, at a gallon per head per day; but in the event of her carrying twenty cabin passengers, the whole quantity of water would not be in excess.

That he does not consider that the rough rice on board the "*America*" is fit for human food without being first cleaned. Witness did not observe any utensils on board that he had ever known to be used for the purpose of rendering the said rough rice fit for human food.

That the smallest size of a mess-tub he had ever seen on board merchant-vessels would contain about one gallon.

That the "*America*" is adapted to carry cabin passengers. In her present state she is not fitted to carry another class of passengers; but in case of emergency she could carry fifty distressed seamen in hammocks, between decks.

That the extreme length of a voyage from Nos Beh to Cadiz would be about 100 days.

With the exception of the tin pannikins, which would not be required by the cabin passengers, the mess gear on board the "*America*" would not be too many for the crew and twenty passengers.

That it is impossible for witness to state what quantity of water each person (passenger or crew) would consume, including the quantity used for washing and cooking, provided no restrictions were placed on the consumption of that article; under such circumstances the water would be used very rapidly.

(Signed) J. PINNOCK.

This examination was taken, and the truth thereof sworn to,
Before me,
(Signed) WM. SMITH, *Registrar*.

Examination of John G. F. Leacock, Sub-Lieutenant, Her Majesty's steam-ship "Ariel," on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

John Francis Gledestanes Leacock, Sub-Lieutenant Her Majesty's ship "Ariel," being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz. :—

That in the opinion of witness 4,464 imperial gallons of water would be more than requisite for a vessel of the size of the "*America*" going from Nos Beh to Cadiz. As far as witness can judge 1,660 gallons would be sufficient for the crew for that voyage, leaving a surplus of 2,804 gallons. Witness is unable to state the number of passengers the "*America*" can carry.

In its present state witness thinks the rough rice on board is not fit for human food without being first cleaned. He has seen no utensils on board which can be used to render the rough rice fit for human food.

That never having served on board merchant-vessels witness is unable to state the smallest size of a mess tub found on board such ships.

That in her present condition the "*America*" is not in any way fitted to carry cabin passengers; nor is there, in witness' opinion, the slightest accommodation for any other class of passengers.

That in the opinion of witness the "*America*" would take ninety days to perform a voyage from Nos Beh to Cadiz.

That witness not having inspected the mess gear, is unable to say whether or not they are too many for the crew and twenty passengers.

That there being a free tank witness is unable to say what quantity of water each person (passengers or crew) would consume daily, including the quantity used for washing and cooking, particularly as in a hot climate some people like taking baths frequently. That to the best of witness' belief eight large casks were full of water at the time of the seizure of the "*America*," but never having inspected the tanks he is unable to state what they contained, nor the exact quantity of water on board at the time of detention.

That not having brought his journal on shore, he is unable to say how many days the "*America*" took to go to Algoa Bay from the time she was detained.

That he is unable to state what quantity of water remained in the ship when the "*America*" arrived at Algoa Bay, never having inspected the tanks.

That to the best of witness' recollection all the casks on deck were filled with water on the morning of leaving Algoa Bay, and he was also informed by Captain Bisquert that the three tanks were full.

That he cannot state the quantity of water remaining in the ship on their arrival at this port, because, as he has already stated, he never inspected the tanks.

(Signed) J. F. G. LEACOCK, *Sub-Lieutenant.*

This examination was taken, and the truth thereof sworn to,
Before me,
(Signed) WM. SMITH, *Registrar.*

Examination of John Skinner Snell, Acting Second Master, Her Majesty's steam-ship "Ariel," on Special Interrogatories.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master. Wednesday, August 3, 1864.

John Skinner Snell, Acting Second Master Her Majesty's steam-ship "Ariel," being produced, sworn, and examined on special interrogatories put on behalf of the claimant by permission of the Judges of the said Court, deposeth and saith as follows, viz.:—

That he is certain that with care 4,464 imperial gallons of water would be more than requisite for a vessel of the size of the "*America*" going from Nos Beh to Cadiz with a crew of twenty persons. Without waste the excess would be about 3,000 gallons. Witness cannot state how many passengers the "*America*" would carry.

That he thinks if the rough rice on board the "*America*" were first boiled, it would be fit for human food. He is not aware that there are any of the usual utensils on board for cleaning the said rice, but he is of opinion that, if required, it could be cleaned in buckets.

That the smallest size of a mess tub witness has seen on board of a merchant-vessel would contain about one quart.

That in the present condition of the "*America*" she is not fit to carry cabin passengers. There is no accommodation to carry any other class of passengers. He is of opinion that ninety days would be sufficient for the "*America*" to make a voyage from Nos Beh to Cadiz. That with the ordinary chances of the said voyage, the mess-gear would be too many for the crew and twenty passengers. They would be, in his opinion, sufficient for the crew and forty passengers.

That if there be no restrictions placed on the consumption of water, it is utterly impossible for witness to state what quantity each person (passengers and crew) would consume daily, including the quantity used for washing and cooking.

That the eight large casks were full of water when the "*America*" was detained, but witness not having inspected the tanks he cannot say whether or not they were full, nor the quantity of water on board at the time of capture.

That the "*America*" took thirty-one days to go to Algoa Bay from the time of seizure. That two or three days prior to their arrival at Algoa Bay the captain informed him that there were forty-two days water on board, but witness does not know the actual quantity of water remaining at that time.

That he cannot say that the eight casks and three tanks were full of water when the "*America*" left Algoa Bay, not having inspected them.

That not having inspected the tanks witness cannot say what quantity of water remained in the vessel on her arrival at this port.

(Signed) J. S. SNELL, *Second Master, Acting.*

This examination was taken and the truth thereof sworn to,
Before me,
(Signed) WM. SMITH, *Registrar.*

Affidavit of the Master, Mate, and Boatswain, in support of the Claim.

In the case of the ship "*America*," Antonio Bisquert, Master.

We, Antonio Bisquert, master of the said vessel, Manuel Aveno, mate of the said vessel, and Francisco Morales, boatswain of said vessel, all at present of Freetown in the said Colony, severally make oath and say as follows:—

1. And I, the said Antonio Bisquert, for myself say that having, in my replies to the several interrogatories administered to me by this Honourable Court, given a full statement of my proceedings from the time I left Cadiz to the day the "*America*" was detained, I think it unnecessary to repeat them again; and I have only to crave leave to refer to them, as well as the matters answered by my mate and boatswain, in support of the defence in this case.

2. The "*America*" has not, as stated by Captain Alan H. Gardner, taken in cargoes of slaves for the last two years at or near Ibo, or at any other place.

3. I did not take a cargo of cloves as a blind, as stated by Commander Chapman.

4 I had no slaves in any port of Madagascar to ship, and did not visit any port in Madagascar at any time for that purpose.

5. I deny that my ship was to proceed to any rendezvous where she was to meet a vessel with a cargo of slaves.

6. I know nothing of a great number of slaves alleged to have been collected at Villa Maca or Bembatooka.

7. During the whole of the voyage the "*America*" was engaged in lawful trade, and I was not concerned in the Slave Trade, and had not the slightest intention of shipping any slaves or being concerned in the shipment of slaves.

8. The whole of the rough rice on board the "*America*" was taken in at the harbour of Nos Beh, where Her Majesty's ship "Ariel" was at anchor part of the time, and the people on board saw us taking in a large quantity of the rough rice.

9. I declared the whole of the rough rice and other articles on board to the proper authorities at Nos Beh, and asked them to sign a manifest of the cargo. They said it was unnecessary, and gave me the paper writing, a copy of which is subjoined to the 14th interrogatory administered in this cause to Lieutenant Dunlop. I crave leave to refer to the original paper on the hearing of this cause.

10. I had no means of compelling the said authorities at Nos Beh to sign a manifest detailing the whole of the cargo on board my ship. There was not a Spanish or English Consul there to whom I could apply in the matter.

11. On the day the "*America*" was detained, we had the three tanks referred to in the surveyor's report and eight pipes full of water on board. We took thirty-one days to make the voyage to Algoa Bay. On our arrival there we had consumed the eight casks and two tanks of water, and some portion of the water in the other tank was also consumed. We took in 11½ tons of water at Algoa Bay, and the three tanks and eight pipes were quite full when we left that port. We remained at Algoa Bay three days, and made the voyage thence to Sierra Leone in thirty-five days. On our arrival at Sierra Leone we had remaining in one of the tanks under 400 gallons of water, the two other tanks and eight pipes of water having been consumed during the voyage from Algoa Bay.

12. We took in the provisions (referred to in the paper writings marked respectively B and D, which are annexed to the interrogatories administered to Lieutenant Dunlop) at Algoa Bay. On our arrival at Sierra Leone we had about the following quantity of provision remaining, namely, 1 or 2 barrels good biscuits, 2 barrels of beef and pork (not of each), 3 cases and 1 barrel of flour, 6 boxes of vermicelli, 2 bags of calavances, 80 lbs. of clean rice, 4 cases of maccaroni, 30 tins of preserves, 6 jars of oil, some coffee, sugar, and tea. There were only about 11 barrels of biscuits on board when the "*America*" was detained. They were then damaged and unfit for food, and are now so. The barrels were not full, and the quantity in all was about 4 barrels.

13. And I the said Manuel Aveno say that the word "apparently," referred to in the second interrogatory administered to Lieutenant Dunlop in this cause, was interlined by Lieutenant Buckle on the 5th of April, 1864, when he came on board the "*America*" with Commander Chapman; and I further say that paragraphs 9 and 10 thereof are true, having been in company with the said Antonio Bisquert at the time when he went to the said proper authorities.

14. And I the said Francisco Morales, for myself, say that Lieutenant Buckle not only saw but counted the holes on the wooden stocks when he came on board the "*America*" on the 3rd April, 1864.

15. And we, Antonio Bisquert, Manuel Aveno, and Francisco Morales, further say that no boilers or other articles of any kind were thrown overboard as is insinuated in the affidavit of Lieutenant Dunlop, John Francis Gledestanes Leacock, and John Skinner Snell, and dated on the 26th July, 1864. There was no possibility of doing so without being observed, inasmuch as an English officer and six men armed were constantly on the watch from the time the "*America*" was detained until our arrival in Sierra Leone, there being two watches on board, each commanded by an English officer.

16. Lieutenant Buckle remained on board the "*America*" on the 3rd April from 8 o'clock in the morning until 2 o'clock in the afternoon, being occupied with his men during all the time in searching the vessel.

17. We did not put into any port from the time Lieutenant Buckle boarded the "*America*" on the 3rd April, 1864, to the period we were detained, the "Ariel" following us all the time.

18. When we were detained we had on board the paddy or rough rice, the wooden stocks, and all the vessels for holding water now on board the "*America*," and Lieutenant Buckle must have seen the said articles on board when he searched the "*America*" on the 3rd April.

19. The course to Cadiz when we were detained was the same course to Mozambique.

20. The number of vessels on board capable of holding water was not too much for the "*America*" bound for Cadiz, as we did not expect to make the voyage in less than 100 days, and might have been 130 days: moreover, we had two men to take in at Mozambique, and might have taken in passengers there for Cadiz.

21. The rough rice on board could not be used for human food without being first threshed, and we had no engine or other utensil on board, and never intended to ship any that could be used to render the said rough rice fit for human food. It is not correct to say that rough rice could be made fit for human food by being boiled and rubbed, without there being some utensils at hand by which it could be rubbed. In plain terms the kind of rubbing described by Lieutenant Dunlop in his affidavit must mean beating in a mortar, and we had no mortars or other things on board with which rough rice could be beaten to free it from chaff.

22. The stocks on board cannot confine more than six persons, and it is usual to keep them on board Spanish vessels for the purpose of keeping the crew and unruly passengers in order. There is a Spanish regulation ordering unruly men or passengers to be confined in wooden stocks by the master of Spanish vessels.

23. The mess-gear on board is not over the quantity required for the crew and number of passengers the "*America*" can carry; indeed it is insufficient.

24. The "*America*" can carry from twenty-five to twenty-eight first class passengers, and fifty third class. She took in eight first class passengers and sixteen third class when she left Cadiz.

25. With reference to the answer given by Lieutenant Dunlop to the 22nd interrogatory administered to him in this matter, I Antonio Bisquert say that it is incorrect, the fact being as follows:—I never refused to go direct to Sierra Leone, inasmuch as both Lieutenant Dunlop and myself had come to the conclusion that we had not enough water on board, and that it was necessary to go into the Cape or St. Helena to take in water. Subsequently Lieutenant Dunlop told me it was better and easier to go into Algoa Bay, to which I assented provided the wind would allow us to stay at that port without danger, and he would free me from responsibility; but upon our approaching Algoa Bay there was danger, and I refused to go in, whereupon Lieutenant Dunlop navigated the "*America*" himself and went into Algoa Bay.

26. And we, the said Antonio Bisquert, Manuel Aveno, and Francisco Morales, say that the cooking-range was not too large for the crew and number of passengers the "*America*" can carry.

27. The articles referred to in a paper writing marked D, and annexed to interrogatories administered to Lieutenant Dunlop, were taken on board the "*America*" at Algoa Bay.

28. The cocoa-nuts and rough rice on board are articles of legitimate commerce, and were never intended to feed slaves with.

29. We say that suction-pipes are usually carried in Spanish vessels.

30. We had no rice on board when we sailed from Cadiz, as will be seen by the manifest of the "*America*," to which we crave leave to refer at the hearing of this cause.

31. We were searched by officers from Her Majesty's ship "Penguin" on our voyage from Zanzibar to Mozambique some time in December 1863. We had on board the three tanks and all the casks and other vessels for holding liquids, and also the wooden stocks which were on board the "*America*" when she was detained.

32. We arrived at Nos Beh on the night of the 5th April, 1864, and the "*America*" was reported to the authorities there on the following morning. They have made a mistake in the date of our arrival, which is written 16th, instead of 6th.

33. There is no room for slaves in the "*America*," and there is no slave-deck in her.

34. Rough rice and cocoa-nuts are imported into Cadiz, and publicly sold there, and in other parts of Spain.

35. We the said Manuel Aveno and Francisco Morales also say that we believe and have no doubt all the statements in paragraphs 3, 4, 5, 6, and 7 are true, but cannot say anything in reference to paragraph 2 hereof, as we have not served on board the "*America*" for two years. We further say that the statements in paragraphs 8, 11, and 12 are true.

36. And we, the said Antonio Bisquert, Manuel Aveno, and Francisco Morales, further say that the English officers and prize-crew brought their own provisions on board the "*America*," and did not live upon the provisions of our ship.

(Signed) ANTONIO BISQUERT.
MANUEL AVENO.
his
FRANCISCO ✕ MORALES.
mark.

On the 5th day of August, 1864, the said deponents, Antonio Bisquert, Manuel Aveno, and Francisco Morales, were severally duly sworn to the truth of this affidavit through the interpretation of Victor Bareste, who was first duly sworn faithfully to interpret between the parties in this cause.

(Signed) V. BARESTE.
Before me.
(Signed) WM. SMITH, *Registrar*.

Affidavit of Manoel Martinez, on behalf of the Captors.

In the case of the ship or vessel "*America*," Antonio Bisquert, Master.

I, Manoel Martinez, a seaman on board the said ship "*America*," being duly sworn, make oath and say as follows (that is to say):—

1. That I joined the said ship "*America*" as an ordinary seaman at Mozambique on the 7th day of August, 1863, and when I shipped the captain told me that he intended to proceed in the vessel to Zanzibar to take in cargo, and from thence to go direct to Cadiz. I was to receive 14 Spanish dollars per month, but I signed no articles. I am a Portuguese subject.

2. From Zanzibar the ship went back to Mozambique, where they transferred some of the cargo on board a barque called the "Tetuan," belonging to the same employ. After discharging cargo there they took in ballast, and from that place went to Nos Beh, where they shipped the rough rice that is now on board. That about four or five days after they left Nos Beh an English man-of-war boarded them, and two days after the same man-of-war boarded them again, when the vessel was detained by her and sent to this port.

3. There were five boilers on board at Mozambique, the whole of which were then in the lazarite under the cabin. At that place a Portuguese man-of-war called the "Marianne" boarded the vessel, and previously to her doing so I saw three boilers thrown overboard, which were handed up from the lazarite by the steward on to the cabin deck (this was done between 7 and 8 o'clock in the evening; I was on deck at the time); and at Zanzibar a small English steamer came to an anchor in the port, when there were two other boilers passed up from the lazarite by the steward and thrown overboard, but by whom I cannot tell. This was also done about 7 or 8 o'clock in the evening; I was on deck at the time, and saw them thrown overboard.

4. That, about three days after the prize-crew came on board, the boatswain came forward, and I heard him tell a Manilla-man now on board, called Pedro (the boatswain's yeoman in charge of the boatswain's stores), to get out of the locker where the stores were kept two pairs of slave-iron shackles and throw overboard; and Pedro took them out and passed them to me to throw them overboard, which I did. This was done about 6 o'clock in the evening, and the prize-crew were all aft at the time.

5. After ten or twelve days of our arrival in this harbour, the steward told me to take out of a large box on which the cook cuts up his meat, which is placed alongside the cooking-house, a good-sized iron boiler, and make a hole in it at the bottom with a marline-spike; which I did, and I replaced it again by his request, and it was there when I left the ship on Saturday, the 6th instant.

6. That at the time of the spiking of the said boiler there was also in the same box a large tin boiler, which would hold about fifteen gallons, which the steward filled with old saucepans to make it sink, and it was thrown overboard.

7. When I first joined the vessel the open space between deck was then covered over with old planks nailed down, which were afterwards taken up at Mozambique when we were lying at anchor there, where she remained about two months (one before I shipped, and another after), and these planks were afterwards burnt.

8. About twenty days after we arrived in this harbour, between 7 and 8 o'clock in the evening, Pedro (the boatswain's yeoman before mentioned) passed up from the main-deck to the forecastle five iron hatch-bars, which were tied up together, and delivered them to José Duarte, a Portuguese seaman on board the said ship, and he threw them overboard.

his
(Signed) MANOEL ✕ MARTINEZ.
mark.

On the 9th day of August, 1864, the said deponent Manoel Martinez was duly sworn to the truth of the affidavit at Freetown, the same having been first read and explained to him through the interpretation of Antonio Silva, who was first duly sworn faithfully to interpret the same, and which he appeared to understand.

(Signed) ANTONIO DA SILVA.
Before me,
(Signed) WM. SMITH, *Registrar*.

Affidavit of the Prize Officer.

In the case of the ship or vessel "*America*," Antonio Bisquert, Master.

I, Martin Julius Dunlop, Lieutenant of Her Majesty's steam-ship "Ariel" (William Cox Chapman, Esquire, Commander), and prize-officer of the said ship "*America*," being duly sworn, make oath and say as follows (that is to say):—

1. That in reply to the evidence filed on behalf of the claimant, I reply to the 4th paragraph of the affidavit filed on the 30th day of July last, of Charles Frederick Hazleborg and Marius Reale, and say, that not only was there a regular deck planked abaft the mainmast, but it was continued some distance before the mainmast, and again from the foremast forward to the bulkhead and a few feet aft the foremast, as will appear by the plan made by Mr. Snell, annexed to the affidavit filed in this Honourable Court on the 26th day of July last in this cause.

2. That the said plan of the main or second deck is, to the best of my knowledge and belief, a true and correct plan, and which in my opinion has been conscientiously taken by the said Mr. Snell, and that it will be found so by any disinterested party that may be appointed by the said Court to examine the said deck who is capable of measuring and calculating with accuracy the covered and uncovered portions thereof and report accordingly.

3. That as to my answer to the 23rd interrogatory, administered on the 30th of July last on behalf of the claimant, I further say that the paper writing marked B shows a list of articles I was desirous of purchasing from Captain Bisquert for my own use on the 8th day of April last, about three days after the "*America*" was detained, and whilst the ship was at sea, and of those articles the captain let me have one bag of beans and several bottles of mustard, but the others he would not give me; and I find, on referring to my answers to the 24th interrogatory, that I have omitted to explain this, and have inadvertently stated that the articles mentioned in paper writings B and D were received on board at Algoa Bay, whereas I should have said that the articles marked D were received there, but certainly not those in B; the date of the paper B will show this. That paper C is simply a receipt given by me to Captain Bisquert for the sum of 16*l.* 19*s.* 6*d.*, the amount I paid for waterage, firewood, and salt beef at Algoa Bay, and which said sum I received from him.

4. That as to the affidavit of Captain Bisquert, his mate, and boatswain, filed on the 5th instant, where it is stated by them, in the 8th paragraph, that the "Ariel" saw the "*America*" shipping rice at Nos Beh, the same is incorrect, as the brig which brought the rice to the "*America*" could not have arrived there till after the "Ariel" left, as I myself boarded that brig on her way to Nos Beh two or three days after we left that place.

5. That as to the 11th paragraph, I say that the statement of there being only eight pipes on deck is a mistake, as I myself saw ten pipes, and those ten remained on deck until after we rounded the Cape.

6. That the statement in the 12th clause, that the provisions mentioned in paper B were taken in at Algoa Bay is incorrect, that paper being dated the 8th day of April, and being a list of articles I endeavoured to obtain from Captain Bisquert for my own use, as I have before stated. We were at Algoa Bay on the 7th, 8th, and 9th of May last.

7. That as to the statement made in the 19th paragraph, a reference to the Admiralty Chart will prove that the course to Cadiz is not the same as that to Mozambique.

8. That as to the statement made in the 22nd paragraph, I say that in ships of war we constantly confine the men with one leg in irons, and as the stocks on board the "*America*" had twelve holes, it would be able to confine twelve men.

9. That as to the statements made in the 25th paragraph, I say, on the evening of the 4th day of May Captain Bisquert stated to me that he had forty-two days' water on board, and I asked him if he would go direct to Sierra Leone. He replied distinctly, and in the presence of my two officers and his own officers, the mate and boatswain, that he would not, as there was a possibility of being becalmed near the line; that he considered it necessary to go into a port for water and firewood. He suggested St. Helena, and I knowing Algoa Bay well, and we being close to it, directed him to go there. He seemed afraid of going to that place, having never been there, and as I, on the contrary, knew it well, I offered to take the responsibility of taking the ship in. He asked me if I would do so in writing. I said yes, if he would give me in writing that it was necessary to go in. The following day we exchanged the papers mentioned. The one he gave me I now annex, marked E, and also the other which he gave to me, also annexed, marked F, to say that the ship had not been long delayed. On the evening of the 4th of May, and immediately after this conversation took place, I inserted every part of it in my journal, which I signed, and I then gave it to my officers to read, requesting them if they found the entry correct in every particular to state so, and attach their signatures thereto, which they did; and the said journal can be produced if this Honourable Court should require it. That there was danger in going in is sufficiently answered by the fact that I knew the harbour well, also the signs of the weather; that I conducted her in safety in and out; that during the time we were there we had the very winds I foretold from the westward, consequently foul for going round the Cape. Captain Bisquert did object to go to Algoa Bay; he suggested St. Helena, but as I understood he had not been to the latter port either, I thought it much better to go to Algoa Bay, and circumstances proved that I was correct in doing so.

10. That as to the 29th paragraph I say that suction pipes may be carried in some Spanish vessels, but I have never seen them in any legal trader I have visited.

11. That as to the 33rd paragraph, I say that there is room on the main deck for a very large number of slaves if that deck were cleared, which might be done in a very short space of time.

(Signed) M. J. DUNLOP.

On the 11th day of August, 1864, the said deponent was duly sworn to the truth of this affidavit.

Before me.

(Signed) Wm. Smith, *Registrar.*

Affidavit of Adolphus Pike, Marshal, on behalf of the Captor.

In the case of the ship or vessel "*America*," Antonio Bisquert, Master.

I, Adolphus Pike, Marshal of the Honourable Court, being duly sworn, make oath and say as follows (that is to say):—

1. From information communicated to me by Manoel Martinez, a mariner of the said ship "*America*," through the interpretation of Antonio Silva, I proceeded on board the said ship on Saturday last, the 6th instant, for the purpose of ascertaining whether there was a tin boiler in the lazarite, an iron boiler in the fore peak,

an iron boiler with a hole in it, in a box alongside the caboose, as well as an iron boiler in the caboose. The tin boiler is capable of containing eight gallons of water; the iron boiler in the fore peak is capable of containing six gallons, and fits the cavity of the plate in the caboose; the iron boiler with the hole in it could contain three gallons if the hole were plugged up; and the iron boiler in the caboose would contain four gallons.

2. That having been further informed by the said Manoel Martinez that the captain had distributed money among the crew of the vessel, and that he and his officers had also money secreted in the vessel, I proceeded on board on Monday the 8th instant, and made search of the officers' cabins, but found no money. I then proceeded forward, and searched other parts of the vessel and the crew, and upon one seaman named Louis Vard, I found 42 5-franc pieces; upon Vincente Garcia I found 11 5-franc pieces; upon Pedro Bedoyal I found 36 5-franc pieces; upon Jamie Yoraka 13 5-franc pieces; upon Andreas Liceames 19 gold pieces of 100 reals each, and 1 quarter-doubloon; upon José Decarte 20 5-franc pieces; upon Francisco Lorica 10 5-franc pieces; upon Quandro Royane 40 5-franc pieces; upon Andreas Filgera 50 5-franc pieces; upon Ellis Lelaire 27 5-franc pieces; upon Pedro Delacruiz 18 5-franc pieces, of which several were found in a belt round his waist, and the remainder in his chest.

In addition to these amounts I left about a dollar with each of them, the whole of which amount I have in my possession.

(Signed) A. PIKE, *Marshal.*

On the 11th day of August, 1864, the above-named deponent was duly sworn to the truth of this affidavit at Freetown.

Before me,
(Signed) WM. SMITH, *Registrar.*

Affidavit of Antonio Bisquert, Manuel Aveno, Francisco Morales, Roberto Aranda, and Pedro Delacruiz, in support of the Claim.

In the case of the Spanish ship "*America*," Antonio Bisquert, Master.

We, Antonio Bisquert, master; Manuel Aveno, mate; Francisco Morales, boatswain; Roberto Aranda, steward; and Pedro Delacruiz, boatswain's yeoman, of the said ship, all at present of Freetown, in the said Colony, severally make oath and say as follows (that is to say):—

1. And I the said Roberto Aranda, for myself, say that three boilers were not thrown overboard, and I never handed any boilers to be thrown overboard, as is alleged in the affidavit (3rd paragraph) of Manoel Martinez, made in this cause on the 9th August, 1864. It is also untrue that two other boilers were passed up by me, and thrown overboard, as is alleged in the same paragraph.

2. I further swear that it is untrue, as is stated in the said affidavit (5th paragraph), that at any time, before or since our arrival at Sierra Leone, I told the said Manuel Martinez to take out any boiler, and make a hole in it. The boiler placed alongside the cooking-house is still there; it must have been seen by Messrs. Pike and Pinnock when they surveyed the vessel; and I don't think if it be examined any hole will be found in it. If it has a hole it must be the said Manuel who made it for a purpose best known to himself; and I had no hand in it. This same boiler was in use for the Spanish crew until the English crew left the ship.

3. I further swear that the 6th paragraph of the said affidavit is untrue.

4. And I the said Francisco Morales say that the 4th paragraph of the said affidavit is untrue.

5. And I the said Pedro Delacruiz say that the 4th and 8th paragraphs of the said affidavit are untrue

6. And we the said Antonio Bisquert, Manuel Aveno, Francisco Morales, Roberto Aranda, and Pedro Delacruiz, further say that there were never more boilers on board than there are now. There were no iron shackles on board, and that (with the exception of the 1st and 2nd paragraphs of the affidavit of the said Manoel Martinez, and that portion of the 3rd paragraph which states the "*America*" was boarded by a Portuguese man-of-war, and that an English steamer came to anchor at Zanzibar), all the statements in the said affidavit, including, of course, the 7th paragraph, are wholly untrue.

7. The tin boiler in the lazarite, referred to in the affidavit of Adolphus Pike, Esquire, made in this matter on the 11th August, 1864, is a damaged boiler not fit for use, and was seen by the said Surveyors, who will, we have no doubt, confirm this statement if they are questioned by this Honourable Court. This tin-boiler, if fit for use, would be capable of containing about four gallons only. One of the iron boilers referred to by the said Adolphus Pike in the same paragraph was used for pitch and tar, and must have been seen by the said Surveyors, who will no doubt say so if they be questioned about it. The other iron boiler referred to by the said Adolphus Pike in the same paragraph is the same boiler referred to in paragraph 2 hereof. These two iron boilers could respectively contain 3 and 6 gallons by being filled to the brim.

8. I the said Antonio Bisquert say that since I left Nos Beh I have not given the crew any money whatsoever.

9. And I the said Manuel Aveno say that the said Adolphus Pike found 14 dollars in my cabin, but he did not take them.

10. And I the said Francisco Morales say that the said Adolphus Pike found 7 dollars in my cabin, but did not take them.

11. And we said Manuel Aveno and Francisco Morales say that we had more of our own money on board when we arrived here, but that we have expended it on shore.

12. And we all say that Antonio Silva, mentioned in the affidavit of the said Adolphus Pike, is a Portuguese man, placed on board by the said Adolphus Pike; and we have no doubt that he (Silva) has improperly got his countryman, the said Manoel Martinez, to make the untrue statements in his said affidavit.

(Signed) ANTONIO BISQUERT.
MANUEL AVENO.
his
FRANCISCO ✕ MORALES.
mark.
ROBERTO ARANDA.
his
PEDRO ✕ DELACRUIZ.
mark.

On the 13th day of August, 1864, the said deponents Antonio Bisquert, Manoel Aveno, Francisco Morales, Roberto Aranda, and Pedro Delacruiz, were severally duly sworn to the truth of this affidavit, at Freetown, the same having been first read over and explained to them through the interpretation of Victor Bareste, who was first duly sworn faithfully to interpret the same.

(Signed) V. BARESTE.

Before me,

(Signed) WM. SMITH, *Registrar.*

Inclosure 3 in No. 35.

Opinion of the Acting British Judge.

THE case upon which the Court has now met for the purpose of pronouncing Judgment is that of the Spanish ship "*America*," Antonio Bisquert, Master, which was detained on the 5th day of April, 1864, on the East Coast of Africa, on the charge of being equipped for the Slave Trade, in contravention of the Treaty of June 28, 1835, between Great Britain and Spain.

I will first examine the particular articles of equipment which are reported by the captors to have been found in this vessel, and which are in contravention of the Treaty alluded to. There are certain water-casks, for which no bond has been given; a second, or slave-deck, or means for laying the same; a quantity of mess-gear not required for the crew; twenty-five suction-pipes; stocks capable of containing twelve persons; and 130 tons of rough rice, not entered on the manifest.

By the Treaty any one of these articles is to be taken as *prima facie* evidence of the vessel being engaged in the Slave Trade, and the *onus probandi* is transferred to the claimant. Let us then first consider the direct evidence, besides the captor's report, as to the articles on board, and the explanations and evidence offered by the claimant.

The surveyors appointed to examine this vessel report, that they found permanent lower-deck beams running round the ship, partly decked, and all capable of being decked; thirteen water-casks, capable of containing 130 gallons each; seventy-six tin pannikins to hold about half a-pint each; the suction-pipes; a pair of leg-stocks, capable of holding securely twelve persons; and the rough rice, amounting to about 140 tons.

In refutation or explanation of these articles we have the affidavits of the master, mate, and boatswain, and of two surveyors appointed by the claimant. The master states in his affidavit, sworn to on the 5th of August, that the rough rice was taken in at Nos Beh as part of the cargo, and that he (the master) reported the rice and other articles to the proper authorities at Nos Beh, and asked them to sign a manifest of the cargo; that they said it was unnecessary, and gave him a paper, a copy of which has been produced, to the following effect:—

"(Translation.)

"It is dispatched for Cadiz, with twenty men of crew, including the Captain and passengers, and cargo of different merchandize.

"*Nossibe, March* 30, 1864.

"The Commandant of the Maritime Inspection,
(Signed) "ETUTINN."

He further states, that he had no means of compelling the authorities at Nos Beh to sign a manifest detailing the whole of the cargo of his ship. In this affidavit no reference whatever is made respecting the water-casks; nor is any explanation offered why bond had not been entered into, according to the Treaty, when he commenced his voyage to the coast of Africa; but he says that the number of vessels on board capable of holding water were not too much for the "*America*," bound for Cadiz, as they did not expect to make the voyage in less than 100 days, and they were to take in two men at Mozambique, and might have taken in passengers there for Cadiz.

He further says, that the rough rice could not be used for human food unless first threshed; that he had no engine on board, or other utensils that could be used for that purpose, nor did he intend to ship any. With regard to the stocks, he says that they can only confine six persons, and are usual in Spanish ships, and that the crew and passengers are, by Spanish regulations, ordered to be confined in wooden stocks by masters of Spanish vessels. No rules to this effect have, however, been laid before the Court. The master merely avers that the mess-gear is not over the quantity required for the crew and number of passengers which the "*America*" can carry; but he does not specially account for the tin pannikins. He states the number of passengers the "*America*" can carry to be from twenty-five to twenty-eight first class, and fifty third class. He states that the cocoa-nuts and rough rice are articles of legitimate commerce; that suction-pipes are usually carried in Spanish vessels; that there is no room for slaves in the "*America*," and there is no slave-deck in her; and this affidavit is supported by Manoel Aveno and Francisco Morales.

In further support of the claimant an affidavit is put in from Messrs. Hazelborg and Reale, who, at the request of the claimant, examined the "*America*," sworn to on the 30th July. They say they found five bread-casks, capable of containing from 100 to 90 gallons each, but in bad condition. They say they gauged the water-casks—but do not give the number—and found them to contain from 112 to 120 imperial gallons each. That they examined the twelve kegs, and found them to be octaves, in a bad state, the wine having leaked out during the voyage. They say they examined the lower deck of the vessel, and they give various measurements as to how much is now planked off: but they offer no opinion as to its capabilities for a slave-deck. They say that suction-pipes are usually carried by French vessels, and that stocks are also carried by French vessels; that the stocks are capable of confining six men; they contain twelve holes.

The captors further state that four extra boilers were found on board at the time of capture. These boilers were not reported by the surveyors, but on information given by one of the crew, the Marshal examined the the vessel, and found three boilers, supposed not to have been reported by the surveyors. In the affidavit of the 9th August (No. 35), referred to as made by one of the crew, it is stated that some boilers and other articlers had been thrown overboard previous to, and after, the arrival of the "*America*" at Sierra Leone. To contradict this we have an affidavit of the master, mate, boatswain, and steward of the "*America*," who swear that no boilers or other articles were ever thrown overboard, and that there were never more boilers than at present. That the tin boiler seen by Mr. Pike must have been seen by the surveyors. One of the iron

boilers is used for pitch and tar, and must have been seen by the surveyors; and the other iron boiler is the one referred to in No. 2 paragraph of the same affidavit, and it must have been seen also by the surveyors. An application was made to the Court to question the surveyors on this point; but the Court left it to the discretion of the counsel for the claimants, who declined to do so.

So far then as to the actual breach of the Treaty it has, in my opinion, been proved that water-casks for which no security had been given were on board at the time of capture; that the mess gear was greater than necessary for the use of the crew; that there were the means of laying a second or slave deck; and that rice was on board which was not entered on the manifest.

I will now, however, proceed to examine how far these breaches of the Treaty may be reconciled with legitimate commerce on the evidence produceed, and the elaborate arguments brought forward by the Counsel for the claimant. Great stress has been laid on the quantity of water required for the crew, and it has been argued that 35 men consumed in 31 days all the water contained in the tanks and casks, and that, therefore, the latter were necessary for the crew of 20, with the chances of 3 or 4 more, for a voyage of 100 days; but putting out of sight the value of the comparison of consumption of water where no limit is placed, with a necessary and limited supply, let us examine what this vessel has done on former voyages. She left Cadiz on the 19th of February, 1863, and arrived at Buenos Ayres on the 25th of April with 26 passengers and a crew of 24. There is no proof that in leaving Cadiz this vessel was provided with these water-casks, because, had she been so, the vessel being then destined for the Coast of Africa (as is to be presumed, for she took an engineer and engine for Mozambique), the owner no doubt would have given the proper security if the vessel were intended for legitimate trading. We must, therefore, conclude that the tanks alone held sufficient water for 50 persons for 75 days. These tanks, by the report of the surveyors, will hold 2,470 Imperial gallons, and the surveyors further report that the additional casks found on board would contain 1,870 gallons, an amount which was evidently quite unnecessary, even supposing, which is sometimes asserted and sometimes denied, that she was bound direct to Cadiz from Nos Beh when captured. I cannot but think, therefore, that the presence of these casks has not been satisfactorily accounted for. The next most important matter is the rice not entered on the manifest. Three questions are raised for the defence which deserve consideration:—

1st. Whether there was any opportunity on board of making this rice fit for human food?

2ndly. Was the fact of the rice not being on the manifest clearly the fault of the French authorities? And

3rd. Is rough rice a probable cargo to be sent to an European market?

With regard to the first we have had evidence produced by Counsel on each side of the results of their endeavours to convert rough ice into human food, but apart from these results, which of course were entirely contradictory, is it not well known that with the rudest materials, the rudest natives will prepare rough rice for human food? And if this rice were intended for food for slaves there would be no difficulty in any ship in making it sufficiently good for them. The suspicion attaching to this vessel, therefore, is not removed by the reply to the first of these questions.

Now let us examine the second. A manifest is generally a document made out by the shipper, and taken to the Custom-house authorities for verification. In this instance the master has sworn that he declared the rough rice and other articles on board to the proper authorities at Nos Beh, and asked them to sign a manifest of the cargo. This would show that a written manifest was made out for the authorities to sign, but this paper has not been produced, and knowing the regularity of the French Customs Departments so unusual a refusal is not probable. The explanation on the second question does not remove suspicion.

On the third point we have an affidavit by the master, mate, and boatswain, that cocoa nuts and rough rice were articles of legitimate commerce. Of this there can be no doubt. Legitimate commerce may be carried on in every description of raw material. Cotton may be imported not cleaned and with the seeds adhering, but the question here is, is this a usual commerce which would be sufficient to remove all suspicion, and establish the fact of this vessel being engaged in a lawful trade? It would have been more satisfactory had evidence been produced on this point, evidence which might have been readily acquired here. None of these explanations therefore are, in my opinion, sufficient to relieve the vessel from suspicion.

But I am bound, in considering the case before us, to look to all the circumstances attending this vessel's presence and trading speculations on this coast. It has been argued by the Honourable the Queen's Advocate on the one hand, that the period which has elapsed since her arrival on the coast, and the small amount of trade which has been carried on, are incompatible with legitimate commerce. On the other hand it has been contested that all these delays were caused by the light winds and calms which prevail on the East Coast, and the difficulty which was found in collecting various debts; but putting aside these theories let us look to the facts disclosed in the papers before us. The vessel arrived on the coast on the 13th of June, 1863, and was captured, said to be bound to Cadiz, on the 5th of April, 1864, being a period of nearly ten months; during this time we have no return of the amount of trade carried on by this vessel, but we have on the evidence of the master, in answer to the 14th Standing Interrogatory, that "the cargo now on board consists of rice, ebony, cloves, cocoa nuts, and leaden paper." It is utterly impossible to believe that in legitimate trade a vessel of 600 tons burden would remain on the coast for nearly ten months to take to Cadiz 140 tons rough rice, 800 bags of cloves, 4 tons of ebony, 4,000 cocoa nuts, and some leaden paper.

But there are other circumstances connected with this vessel that do not lead to the conclusion of her being engaged in legitimate commerce. Only one manifest has been put in evidence, and this dated Zanzibar December 22, 1863, at which time she cleared for Cadiz *viâ* Mozambique, and it must be observed that the articles named in this manifest are the most unlikely to have been sent to Cadiz. Wines and spirits form the greater part, the remainder consisting of the cargo now on board. What then became of the wines and spirits? If they had been exchanged, as is usual, for African produce, the cargo should have been on board. This is endeavoured to be explained by an affidavit that part of the cargo was transferred to a vessel called the "*Duque de Tetuan*" belonging to the same owner, and commanded by a brother of the master of the "*America*;" but we have no documents before us to substantiate this assertion.

The proceedings of this vessel, however, after leaving Zanzibar, are still more unaccountable and erratic. She clears from Zanzibar for Cadiz *viâ* Mozambique on the 22nd December, 1863, and we find her still at Mozambique on the 18th of February, 1864, on which day she again cleared for Cadiz touching at "one place in Madagascar," and on the 16th March we find her at Nos Beh, a place perhaps in Madagascar, but a French port which she should have named on leaving Mozambique, and which is quite out of the direct route from Mozambique to Cadiz. At Nos Beh again we have her clearing on the 30th March direct for Cadiz, whereas the master and mate distinctly swear they intended to return to Mozambique.

Neither documents nor explanations satisfactory to me have been offered regarding all these more than suspicious circumstances. It may be that the rules regarding trade are very stringent on this coast, but it is absolutely necessary to uphold them if the Slave Trade is to be suppressed. It would be a most dangerous precedent to establish that if passenger ships come to this coast, they are to infringe these rules on the plea that

they are calculated for carrying passengers. In this particular case two most contradictory facts have been sworn to by the master. On one occasion, that the "*America*" was calculated for carrying 50 third class passengers; and in another, "that there was no room for slaves." Those who have seen slave-vessels arrive here with slaves on board will know what interpretation may be given to room in connection with slaves.

No sufficient evidence has been produced in this case to relieve the vessel from the penalties imposed by this Treaty, and I am of opinion she should be condemned as a lawful prize to the Crowns of Great Britain and Spain.

(Signed) SAM. W. BLACKALL, *Governor and Acting Judge.*

Sierra Leone, August 25, 1864.

Inclosure 4 in No. 35.

Opinion of the Acting Spanish Judge.

IN the case of the Spanish ship "*America*," Antonio Bisquert, master, which was tried in this Court on Thursday and Friday in this week for being engaged in the Slave Trade, his Excellency the English Acting Judge is of opinion that the vessel be condemned.

As I see no reason whatever for supposing this vessel to have been engaged in the Slave Trade, I am anxious to state the grounds which compel me to decide that this suit ought to be dismissed, and the captors condemned in damages and costs.

The "*America*," as appears by the written evidence given on the part of the captor, was boarded on the 3rd of April last by Her Majesty's ship "Ariel" in longitude 46° 55′ east, and latitude 13° 45′ south. The Commander of the "Ariel" did not go on board himself, but he sent Mr. Buckle, his First Lieutenant, to search the vessel, and he was engaged about six hours in searching the "*America*."

Mr. Buckle appears to have been satisfied that everything in the "*America*" was legal, and he accordingly made the following entry on the log:—

"Sunday, 3rd April, 1864. The '*America*' was boarded by a boat from Her Majesty's ship 'Ariel,' and searched. Three large tanks were found below full of water, also ten casks on deck, but apparently nothing to justify detention. The ship's papers appear to be correct, excepting the date of arrival at Nos Beh, which according to the log was on the 6th, but the French have entered her arrival on the 16th March. The 'Ariel' however, arrived at Nos Beh on the 19th, and the log, as regards her arrival in Nos Beh, is considered correct. The ship has not been detained; no complaint.

(Signed) "CLAUDE E. BUCKLE, *Second Lieutenant, Her Majesty's ship 'Ariel.'*"

The Commander of the "Ariel" was not satisfied with this, and according to the statement of Mr. Dunlop, the prize officer, he followed the "*America*," never losing sight of her except at night until the 5th April, when accompanied by Mr. Buckle and another officer he proceeded on board, and detained the vessel for being engaged in the Slave Trade. This was in itself a proceeding not warranted by the Treaty, which states "that when the search is made by an officer of the cruizer who is not the Commander, the said officer shall exhibit to the captain of the merchant-vessel a copy of the before-mentioned special orders signed by the Commander of the cruizer, and shall in like manner deliver a certificate signed by him, stating his rank in the Royal Navy, the name of the Commander by whose orders he proceeds to make the search, that of the cruizer in which he sails, and the object of the search as has been already laid down. If it appears from the search that the papers of the vessel are in regular order and that it is employed on licit objects, the officer shall enter in the log-book of the vessel, that the search has been made in pursuance of the aforesaid special orders, and the vessel shall be left at liberty to pursue its voyage." I hold, therefore, that the detention of the "*America*" was illegal after she was released by Mr. Buckle. Commander Chapman, however, seized the vessel, placed a prize crew of thirteen men and three English officers on board, and sent her to this Colony for trial. He made a written declaration which contains his grounds for detaining the "*America*," namely: 1st. "Four bulkheads or divisions with several loose planks, and four tons of ebony which would make another slave-deck, a quantity of staves, &c.; 2nd. A main deck thoroughly adapted for the conveyance of slaves; 3rd. Some slave stocks; 4th. A larger quantity of water both in casks and tanks than requisite for the crew of the vessel; 5th. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessels should only be used for other than lawful commerce; 6th. A larger quantity of mess-gear than requisite for the crew of the vessel; 7th. Cooking range much larger than requisite for the crew of the vessel; 8th. A very large quantity of rice in husk, upwards of 100 tons, and not entered on the manifest as part cargo for trade. Also 4,000 cocoa nuts, both slave food."

This document shows that the Commander had grave doubts respecting the regularity of his own proceedings, for he goes on to observe that "I at once decided in placing a crew on board to take her to Sierra Leone to be adjudicated, as it would not delay the ship very materially; the master having informed me that he was bound to Cadiz, and I thought it would be a great blow to the Traffic to prevent him shipping his cargo."

The "*America*" on her way to Sierra Leone called at Algoa Bay, and took 11½ tons of water, some salt provisions, potatoes, a large quantity of biscuits, value 12*l.* English money. These articles were paid for by Mr. Dunlop, the English prize officer in charge of the "*America*," and it appears they were all put on board the ship for the use of the Spanish crew. The "*America*" was only thirty-two days going to Algoa Bay, and it is singular that although one of the grounds alleged by Commander Chapman for making the seizure was that the vessel had an excess of water and provisions on board for a crew of twenty persons, including the captain, in a voyage from Nos Beh to Cadiz, which would occupy about 100 days, there should have been any necessity to take a fresh supply of water after so short an interval, there being only thirty-six souls on board the vessel at this time.

The "*America*" arrived at this port on the 14th June, and proceedings were immediately taken against her, and she was arraigned before this Court upon the affidavit of the prize officer, Mr. Dunlop, which contains the following grounds of accusation against her, namely:—

"1st. A second main-deck fore and aft; 2nd. A set of wooden stocks with holes for shackling the feet, capable of confining twelve persons. 3rd. Sixteen large water-casks and three large iron tanks capable of containing about 5,000 gallons of water, to the best of my knowledge and belief a quantity much more than requisite for the use of the crew of the vessel as a merchant-vessel; no certificate having been produced by the master from the Custom-house at the place from which he cleared outwards, stating that security had been given by the owners of such vessel that such quantity of casks and other vessels should only be used for the reception of palm oil, or for other purposes of lawful commerce. 4th. A large quantity of mess-gear, consisting of tin drinking cups, earthenware, and tin vessels, which could be used as mess gear. 5th. Four extra boilers in the hold in addition to the boilers on deck for the use of the crew. 6th. About 130 tons of rough rice as I have been informed by the master, 3 cwt. of clean rice, 8 large bags of calavances, 6 barrels of beef and pork, 6 barrels and

3 cases of flour, and 19 barrels of biscuit, to the best of my knowledge and belief being a quantity of food beyond what might probably be requisite for the use of the crew of the vessel, the same not being entered on the manifest as part of the cargo for trade"

It thus appears that the first and second grounds of complaint alleged by Commander Chapman for seizing the vessel are abandoned by Mr. Dunlop, who, however, introduces in his affidavit a new charge, that the "*America*" had four boilers in the hold in addition to those on deck for the use of the crew.

The vessel having been brought before the Court, a claim was given in by the captain for the owner, Mrs. Portilla, of Cadiz, and in due course the Court appointed two highly respectable gentlemen of this town, namely, the harbour-master and Mr. Pinnock, formerly purser, but now the agent in the service of the African Mail Steam-Packet Company, to survey the vessel. These gentlemen made their Report on oath to the Court on the 18th July. According to this document there does not appear to be more than one bulk-head, or two, in the "*America*." The alleged slave-deck on board is entirely ignored by these gentlemen, who declare that the ship has permanent lower deck beams built with the ship fore and aft, and that the ebony on board being in billets, was not fit for a slave-deck. They also state there were no loose planks on board the vessel that could be used for such a purpose. They saw about 130 tons of rough rice on board which could not be used for human food, without being first threshed by an engine or beaten in a mortar, but none of these utensils were on board. They also reported having seen the cocoa nuts in the "*America*," but as they are not prohibited by the Treaty, it is to be regretted they were objected to by the captors. None of the mess-gear on board, as reported by the surveyors, are capable of containing more than half of a pint; and as the Treaty mentions only mess tubs or kids, which according to the evidence of these gentlemen are never less than a gallon, it appears to me that the mess-gear on board the ship does not come within the spirit or letter of the Treaty, by which alone we can decide this case. They also report having seen some suction pipes on board, but these also are not provided by the Treaty, and it is unnecessary to say anything more about them. They further report that the vessels on board for holding water could not contain more than 4,464 gallons, and the quantity of provisions as given by them is so trifling, that it is, I think, very much to be deplored that the captors should have made them a ground of objection for seizing the ship, especially as Mr. Dunlop himself, in answer to interrogatories administered to him by the claimant, admits the food on board, without taking the rough rice into account, was not in excess. The surveyors saw only one boiler (about four gallons) on board, besides the usual cooking range, to which they could not object as being unusual. Such is the substance of the Report given in by these gentlemen, and two other surveyors appointed at the instance of the claimant appear to confirm the Report made to the Court, and I think we are bound to act upon it. The captors do not appear to have been satisfied with this Report, but they took the prudent step of not cross-examining the surveyors of the Court. Mr. Dunlop, however, took the unusual course of filing an additional affidavit, in which he insinuates that the four extra boilers and some water-casks had been thrown overboard by the Spanish crew, but as it is shown in evidence that an English prize crew of six men and one officer armed were on the watch (being relieved by a fresh guard) during the whole of the voyage, it seems hardly within the range of probability that such a course of proceeding was adopted by the Spanish crew. But I am of opinion that this affidavit is wholly inadmissible on other grounds. Mr. Dunlop was in charge of the "*America*," and must be held responsible for the safe custody of the alleged equipment; he swore in his affidavit of the 17th June that no change had taken place in the vessel, and I think he ought not to be permitted to contradict his own assertion. With this affidavit the captors closed their case on the 20th July.

To displace this case the claimant put in various interrogatories, which were administered to the prize-officers and surveyors; and an affidavit of the master, mate, and boatswain was also filed in support of the defence. Upon these I shall have to remark hereafter.

I may mention that the claimants caused no delay in the proceedings, their case having been sent in on the 5th of August.

The captors had, according to the practice of this Court, only two days to reply to the defence; but they were not permitted, according to what I understand to be the practice of all Courts, to set up a new case in answer to the defence. They, however, did so; and what was its nature? The Marshal of this Court, as appears by an affidavit (which, I think, ought not to be received in evidence) made by him on behalf of the captors, discovered, upon the authority of one of the crew (a Portuguese), that there were four boilers concealed on board, which, on search, he found; but the master, mate, boatswain, and two other men, replied in another affidavit that there were never more boilers on board the vessel than there are now; and they say that if the captors were to cause the Surveyors of the Court to be examined, they would say so. The captors did not, however, see fit to examine the Surveyors, and the only conclusion I am able to arrive at is this, that there are no boilers on board like those referred to by the Marshal. There is an extra boiler, as stated by the Surveyors and admitted by the captain in replying to the 9th special interrogatory, and a few small boilers for the use of the officers and crew: these were seen by the Surveyors. It is possible, as Mr. Rainy has properly observed, that the Marshal saw some tin pots used for pitch and tar on board not taken into account by the Surveyors, and which he calls extra boilers. I entirely agree with the claimant's counsel that the Marshal's affidavit cannot be relied on, not being a competent witness on nautical matters. It is, moreover, a very improper thing for an officer of this Court to become a partizan in a proceeding like this, and I think he is very much to blame for detaining the mate, boatswain, and two of the crew on board, whose affidavit he ought to have known would be required in reply to the new case set up against the claimant. The man who gave the Marshal information about the boilers has also made an affidavit of boilers and other things having been thrown overboard before the capture of the vessel and since her arrival at this port, but as he is directly contradicted by the master, mate, boatswain, and two other men, it could hardly be expected that I could act upon his unsupported testimony, and the observation of the claimant's counsel on the character of this man has my entire approval. Moreover, I think this affidavit is also inadmissible.

The case having been delayed by the captors, in consequence of this fresh evidence, beyond the time provided by the Treaty to bring it to trial without any application to the Court to postpone it, and sufficient security given according to the Treaty, the claimant's counsel objected to our jurisdiction to entertain the cause. I think the objection was well founded, but as his Honour the learned Arbitrator agreed with his Excellency the English Judge that the objection be overruled, I should say nothing more of the matter, only that since the objection has been overruled the claimant's counsel has invited our attention to a despatch from an English Foreign Secretary of State, who appears to concur in Mr. Rainy's opinion on this point, for in that despatch Lord Clarendon says, in reply to an application from my Government, "that it is the Court of Mixed Commission at Sierra Leone that is alone competent to grant any delay in the adjudication of the cases that may be brought before it, a delay that in no case can exceed four months; and if the parties interested in the case of the '*Conchita*' had been desirous that the adjudication in this case should be suspended, then application should have been made to the Mixed Commission Court, and not to Her Majesty's Government."

I was very much surprised to hear so very little said of the rough rice, food, mess gear, and slave-deck on board, and these seem to have been practically given up by the captor's counsel; the portion of the cargo relied

upon as prohibited by the Treaty being the boilers, which, in my opinion, do not exist, and the water-casks. Respecting the boilers I have said enough already; but as regards the water-casks, I am clearly of opinion that a most satisfactory answer has been given by Mr. Rainy upon the captor's own showing. In the 11th paragraph of the master's affidavit, dated the 5th August, 1864, he states (and this is not denied by Mr. Dunlop) that when the "*America*" was detained they had the 3 tanks referred to in the Surveyor's Report and 8 pipes full of water on board. That they took thirty-one days to make the voyage to Algoa Bay; and on arrival there, the 8 casks and 2 tanks of water were consumed, along with a portion of water from the other tank. This is correct; for if it were not so, there could have been no room for the 11½ tons, equal to 2,875 gallons of water, taken at Algoa Bay, and which was paid for by the prize officer. Now the 8 casks contained 1,040 gallons of water, the 2 tanks 1,700 gallons.

The whole of these, say 2,740 gallons of water, and also some portion in the other tank, say about 260 gallons, was consumed by 36 men on board the "*America*" during 31 days only. Now if these men were going on a voyage for 100 days, from Nos Beh to Cadiz, what quantity would they have consumed? Not less than 9,000 gallons of water; and yet one of the grounds of objection for bringing the vessel before this Court is that 4,464 gallons of water were an extraordinary quantity for the "*America*," with a crew of 20 persons on board, going on a voyage of 100 days. Again it is sworn by the master that when the "*America*" left Algoa Bay the 3 tanks and 8 pipes were quite full; that they had 36 men on board, and made the voyage to this Colony in 35 days; and on arrival here they had less than 400 gallons of water remaining. Thus 36 men consumed 3,510 gallons of water in 35 days, and yet the captors object to 20 men providing themselves with 4,464 gallons of water in a voyage likely to last 100, possibly 130, days.

The objection to the water, therefore, falls to the ground, the prohibition in the Treaty being an extraordinary number of water-casks, which extraordinary number there was none on board the "*America*."

If I turn to the remaining ground of objection, namely, the rough rice, I find it equally futile. What kind of rice is prohibited by the Treaty? Is it rice fit to feed slaves with, or is it rice not fit to feed slaves with? Let the Treaty speak for itself:—"An extraordinary quantity either of rice, of flour of Brazil, of manioc or cassada, commonly called farinha, of maize or of Indian corn, beyond what might probably be requisite for the use of the crew, such rice, flour, maize or Indian corn not being entered on the manifest as part of the cargo for trade." Now, as it is clearly shown by the evidence that rough rice is not fit for human food, and there were no utensils on board that could be used to render it fit for human food, it is unnecessary to say anything more about this objection.

With regard to the wooden stocks, they are not provided for by the Treaty, and no reasonable man will tell me they were too many for unruly passengers and crew.

The "*America*" was searched by Mr. Buckle, when all the things objected to were on board; he was of opinion that he could not legally detain her, and so certified. Other ships of war had visited her (minus the cargo of the rough rice) and released her; and even in one of the papers before the Court Captain Gardner, R.N., declares that everything in her was legal. And yet, in the face of all this evidence, the Court is asked to condemn this ship.

In my opinion, the claimant's counsel has given a complete answer to this case, even upon the captor's own showing, and I agree with him that it was unfair, after the captors had challenged discussion on the articles of impeachment only, to raise a collateral issue, of which no notice was given to his client, in reference to the alleged suspicious movements of the vessel, and the alleged irregularity of her papers, which, two days before she was seized, Mr. Buckle, the First Lieutenant of the "Ariel," had pronounced to be correct. But I think her movements have been fully accounted for in the answer given by the captain to the 8th interrogatory administered to him, and I agree with Mr. Rainy that the captors are not entitled to call upon the claimants to give an account of themselves before a *primâ facie* case has been established that the vessel had on board articles prohibited by the Treaty. I have carefully perused the papers of this vessel, and they are perfectly in order.

It is on all these grounds, therefore, that I think no case has been made out against this vessel, and as Commander Chapman is greatly in fault, I think this suit should be dismissed with damages and costs.

If I were to hold otherwise, I should be subjecting the owner of the vessel, a respectable lady at Cadiz, the master, mate, boatswain, and crew of the vessel, to the penal consequences involved in the Treaty, upon, I may say, no evidence at all.

(Signed) MIGUEL SUAREZ GUANES.

Sierra Leone, August 25, 1864.

Inclosure 5 in No. 35.

Judgment of the Acting British Arbitrator in the case of the Spanish ship "America."

THIS is the case of a vessel seized under Spanish colours by Commander Chapman, of Her Majesty's ship "Ariel" on the 5th April last, in latitude 13° 57′ south, and longitude 46° 4′ east of Greenwich, on the Eastern Coast of Africa, for being equipped for and engaged in the Slave Trade in contravention of the Treaty between Great Britain and Spain bearing date the 28th June, 1835.

By the affidavit of seizure made by the prize officer, Mr. Dunlop, dated 16th June last, it appears that from information given by the Governor-General of Mozambique to the Senior Officer on the Eastern Coast of Africa, and from information received from the Secretary of State for Foreign Affairs (annexes marked B and C), that the "*America*" was suspected of being engaged in the Slave Trade. Commander Chapman was ordered to watch the movements of this vessel, and to proceed to Nos Beh, a French port on the North-West Coast of Madagascar, to which place they proceeded, and on their arrival there they found the "*America*" at anchor, and they were informed that a small vessel was daily expected to join the "*America*," and in a few days afterwards a brig arrived there and transferred her cargo of rice on board the "*America*." That the "Ariel" then proceeded to Bembatooka, about 200 miles to the southward of Nos Beh, where there was a considerable Traffic in Slaves, and they were there told that upwards of 1,000 slaves were being collected to be shipped in a European vessel, which was daily expected to arrive there. They thereupon again proceeded to Nos Beh, supposing the "*America*" was the vessel alluded to; and on the 5th April, 1864, being in latitude 13° 57′ south, and longitude 46° 5′ east of Greenwich, a ship, under Spanish colours, was met by them about 150 miles to the westward of Nos Beh; that he, Mr. Dunlop, accompanied Commander Chapman on board of the said vessel to ascertain her character and occupation, and upon boarding her they found that she was the said ship "*America*," commanded by one Antonio Bisquert, with a crew of twenty persons, and upon searching the hold of the said ship they ascertained she had on board the articles of slave-equipment specified in the affidavit. And thereupon Commander Chapman seized the

said ship by reason of her being equipped for and engaged in the Slave Tsade, contrary to the Treaty between Great Britain and Spain.

The affidavit then proceeds to verify the papers delivered up at the time of seizure, and states that the vessel arrived at this port on the 14th June last.

Upon this affidavit the usual monition issued, the master, mate, and boatswain of the vessel were examined upon standing and special interrogatories, and a Commission of Survey and Inspection issued. The master, Antonio Bisquert, then filed a claim for the vessel and cargo, supported by affidavit.

Witnesses were examined for the defence. Subsequently several affidavits were admitted in evidence, some on behalf of the captors, and others on behalf of the claimant and for the defence; and the case came on for hearing on the 18th August instant.

On that day the claimant's proctor, Mr. Rainy, took an objection to the jurisdiction of the Court, under Article III of Annex B to the Treaty of 1835, as two months had elapsed and no judgment had been pronounced, and no security given. That objection was overruled, and the case directed to be proceeded with upon the merits, under the authority of the cases of the "*Fabiana*," May 29, 1824; the "*Conchita*," April 28, 1835; and the "*Mosca*," December 23, 1836. To these cases may be added the numerous Spanish cases decided in this Court in 1836, several months after the arrival of those vessels in this port, without any application from either party, or security given.

In one of these cases, the "*Rosarita*," this very same objection was taken by the claimant's proctor. That vessel arrived at this port on February 1, 1836, and, notwithstanding the objection taken, was condemned on July 23, 1836. (Correspondence, Class A. 1836, pp. 63–66.)

Now this vessel, the "*America*," being admitted to be a Spanish vessel, the question for decision upon the merits is, was this vessel, at the time of her detention, engaged or employed in the Slave Trade?

By Article X of the said Treaty between Great Britain and Spain it is provided thus:—"It is hereby further mutually agreed that every merchant-vessel, British or Spanish, which shall be visited by virtue of the present Treaty, may lawfully be detained, and sent or brought before the Mixed Courts of Justice established in pursuance of the provisions thereof, if, in her equipment, there shall be found any of the things hereinafter mentioned, namely:—1st. Hatches with open gratings, instead of the close hatches which are usual in merchant-vessels. 2nd. Divisions or bulk-heads in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade. 3rd. Spare planks fitted for laying down as a second or slave-deck. 4th. Shackles, bolts, or handcuffs. 5th. A larger quantity of water in casks or in tanks than is requisite for the consumption of the crew of the vessel as a merchant-vessel. 6th. An extraordinary number of water-casks or of other vessels for holding liquid, unless the master shall produce a certificate from the Custom-house at the place from which he cleared outwards, stating that a sufficient security had been given by the owners of such vessel that such extra quantity of casks or of other vessels should only be used to hold palm-oil, or for other purposes of lawful commerce. 7th. A greater quantity of mess-tubs or kids than are requisite for the use of the crew of the vessel as a merchant-vessel. 8th. A boiler of an unusual size, and larger than requisite for the use of the crew of the vessel as a merchant-vessel, or more than one boiler of the ordinary size. 9th. An extraordinary quantity either of rice, of the flour of Brazil, of manioc or cassada, commonly called farinha of maize, or of Indian corn, beyond what might probably be requisite for the use of the crew, such rice, flour, maize, or Indian corn not being entered on the manifest as part of the cargo for trade.

"Any one or more of these several circumstances, if proved, shall be considered as *prima facie* evidence of the actual employment of the vessel in the Slave Trade, and the vessel shall thereupon be condemned and declared lawful prize, unless satisfactory evidence upon the part of the master or owners shall establish that such vessel was, at the time of her detention or capture, employed in some legal pursuit."

Thus, by the terms of this Treaty, any one of the articles specified being found on board a vessel, the onus or burden of proof is thrown on the master or owners of the vessel, to show that such vessel was, at the time of her detention, employed in some legal pursuit.

Now let us refer to the Report of the Surveyors, Messrs. Thomas Pike and James Pinnock, to whose evidence little or no objection has been taken. They state they found in the hold of the vessel—

1. A large quantity of rough rice, or rice in the husk, about 140 tons or thereabouts, also a quantity in bags.

2. They found the ship had permanent lower deck beams built with the ship, running fore and aft the hold, on which there still remained a large portion of deck secured in the usual manner to the beams, affording a height of 5 feet 9 inches between the upper part of the lower deck and the lower part of the upper deck beams, and they state that the quantity of deck now fixed to the lower deck beams would form half of a complete or perfect deck.

3. In the mainhold between decks they found one pair of leg stocks capable of securing twelve persons; and they remark that these are unusual in merchant trading ships.

4. They found in a cask with one head out various articles for culinary purposes, amongst which were 76 drinking mugs or pannikins, each holding about half-a-pint, and triced up to the beam ends were 25 tin tubes or suction-pipes for sucking water from a cask or tub, and they state these are very unusual in merchant trading vessels.

5. They state they found the cooking apparatus of large dimensions, but they saw only one boiler besides the usual cooking utensils for the crew. This boiler, they state, will contain about 4 gallons.

6. And they found three iron tanks for containing water, thirteen empty casks capable of containing 130 gallons each, twelve empty kegs capable of containing 15 gallons each, and thirty-one demijohns capable of containing 4 gallons each; and they declare, after measuring the tanks, that these vessels are capable of containing 4,464 imperial gallons.

They also state they found on board about 800 bags of cloves, 50 billets of ebony about 8 feet in length, and a number of cocoa-nuts loose. But these articles are entered on a manifest made out and declared by the Master before Mr. Hines, the United States' Consul at Zanzibar, on the 22nd of December, 1863, when this vessel cleared from that place for Cadiz viâ Mozambique.

Now, considering the stringent character of the Xth Article of the Treaty, what is the explanation given as to the articles found on board this vessel at the time of her detention, and specified on the Affidavit of Seizure and the Surveyor's Report?

And, first, as to the vessels capable of containing water. In the affidavit of seizure Mr. Dunlop stated, that at the time the vessel was detained the vessels found on board were capable of containing about 5,000 gallons of water. By the Report of the Surveyors, the vessels measured by them, as before stated, are capable of containing 4,464 imperial gallons. And these statements are confirmed by the evidence of the boatswain of the vessel, Francisco Morales, who in his examination admitted that the vessels on board at the time of seizure were capable of containing 40 pipes of water. Now at the time of the detention of this vessel she had a crew of 20 persons

on board, including the Master, and allowing 1 gallon of water for each man, and 100 days for the voyage from Nos Beh to Cadiz, the water required for the voyage would be 2,000 gallons. It thus appears that at the time of seizure there was an excess of vessels on board capable of containing 2,500 to 2,800 gallons of water beyond what might be necessary for the use of the crew without the production of any certificate that such vessels would only be used for purposes of lawful commerce. It has been alleged that passengers might have been taken on board; but it must be observed, as will be seen afterwards, that this vessel had previously cleared from Mozambique for Cadiz without taking any passengers on board. At Nos Beh she also cleared for Cadiz without taking any passengers on board.

Then as to the deck. The Surveyors reported that the quantity of deck now fixed to the lower-deck beams would form half of a complete and perfect deck. Two witnesses, Messrs. Charles Hazleborg and Marius Reale, adduced on behalf of the claimant, have stated that the quantity of deck now fixed to the lower-deck beams would form one-fourth of flooring. But the statement of the Surveyors on this point appears to be supported by the measurements given by Mr. Snell in his affidavit of the 26th July, 1864; and to this must be added the statement of Manoel Martinez (affidavit of the 9th August, paragraph 4), "That when he first joined the vessel the open space between deck was then covered over with old planks, nailed down, which were afterwards taken up at Mozambique when they were lying at anchor there, where she remained about two months, one before he shipped and another after, and these planks were afterwards burnt." This statement of Martinez has not been contradicted.

Then as to the 76 tin drinking-mugs or pannikins and the 25 tin tubes or suction pipes. These could not have been required for the crew of nineteen persons, with no passengers on board. And it is needless to state the use that might be made of them in a vessel engaged in the Slave Trade.

With regard to the rough rice. It appears that this rice was shipped at Nos Beh, and is not entered on any manifest. The explanation given by the master on this subject is unsatisfactory. No manifest is adduced tendered for signature which the French authorities refused to sign. Certainly no such document was delivered up at the time of the detention of the vessel. It is also alleged on the behalf of the master that rough rice could not be used for human food without being first threshed, and that there were no mortars or other things on board with which rough rice could be beaten to free it from chaff. And the statement made by Mr. Dunlop that rough rice could be made fit for human food by being boiled and rubbed is denied. But on this it is sufficient to observe that there is nothing to prevent vessels engaged in the Slave Trade from being supplied at the slave-depôt with mortars and all other necessaries required for the voyage at the time of embarkation of the slaves.

Then look at the course of this vessel from the time of her departure from Cadiz to the time of her capture. She cleared from Cadiz for Buenos Ayres on the 19th of February, 1863, and arrived at Buenos Ayres on the 25th of April, 1863. No manifest of the outward cargo has been delivered up. She remained at Buenos Ayres about sixteen days, and then sailed for Mozambique, on the Eastern Coast of Africa. But before her arrival there information had been received from the Foreign Office that "she had sailed from Cadiz for Buenos Ayres, but in reality for the coast of Africa." She reached Inhambane, on the Eastern Coast, on the 30th June, 1863, where, while attempting to cross the bar at that place, three of her sailors were drowned. From Inhambane she proceeded to Mozambique, where she arrived on the 13th July, 1863. She remained at Mozambique until the 17th September, 1863, watched by the cruizers on the coast. From Mozambique she went to Zanzibar. She arrived there on the 3rd of October, and cleared from that place on the 22nd of December, 1863, for Cadiz, viâ Mozambique. At Zanzibar a manifest of the cargo then on board was declared before Mr. Hines, the Consul for the United States. In this manifest the cloves, ebony, and cocoa-nuts found on board at the time of capture are duly entered.

She reached Mozambique on the 30th December, 1863, and cleared from that place on the 18th February, 1864, for Cadiz, and one spot at Madagascar. The spot at which she intended to touch in Madagascar is not stated in the clearance. She was subsequently met at anchor at Nos Beh by Commander Chapman, who had been ordered to watch her movements. And at Nos Beh she cleared for Cadiz, on the 30th March, 1864, with a crew of twenty men, including the master, no passengers, and a cargo of sundry merchandize; and was, on the 5th of April, 1864, seized by Commander Chapman as before-stated: her cargo consisting at the time of seizure of 800 bags of cloves, 4 cwts. of ebony, and 4,000 cocoa-nuts, entered on a manifest, and about 130 tons of rough rice not entered on any manifest after a period of thirteen months from the date of departure from Cadiz, or nine months from the time she reached Inhambane to the time of capture.

Taking the whole circumstances of this case into consideration, I cannot but come to the conclusion that this vessel was engaged in a slave-trading voyage, and was employed in the Slave Trade at the time of her detention.

I therefore pronounce her condemnation, and the cargo on board, as lawful prize to the Crowns of Great Britain and Spain.

(Signed) JOHN CARR, *Arbitrator.*

Sierra Leone, August 25, 1864.

Inclosure 6 in No. 35.

Sentence of Condemnation.

In the case of the ship "*America*," Antonio Bisquert, Master.

THE sentence of the Court is that the Spanish ship "*America*," together with her cargo, equipment, and stores, be condemned as good and lawful prize to the Crowns of Great Britain and Spain.

Condemnation:

(Signed) SAM. W. BLACKALL, *Governor and Acting Judge.*

Dissenting:

MIGUEL SUAREZ GUANES, *Acting Spanish Judge.*

Condemnation:

JOHN CARR, *Arbitrator.*

British and Spanish Mixed Court of Justice, Sierra Leone, August 25, 1864.

No. 36.

Her Majesty's Acting Judge to Earl Russell.—(Received October 12.)

(No. 10. Spain.)
My Lord, *Sierra Leone, September* 21, 1864.

I HAD the honour of informing your Lordship in my despatch No. 7 of August 30th, that the Master and Spanish portion of the crew of the condemned Spanish ship "*America*" were sent to Teneriffe in Her Majesty's ship "Gladiator."

There not being time to get the evidence in the case copied to send with the prisoners, the same has been forwarded, together with the original ship's papers, to Teneriffe, by the mail-packet, which leaves this day.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 37.

Earl Russell to Her Majesty's Acting Judge, No. 12, October 15, 1864.

[Transmitting Slave Trade information.]

No. 38.

Her Majesty's Acting Judge to Mr. Layard.—(Received November 12.)

(No. 37. General.)
Sir, *Sierra Leone, September* 30, 1864.

I HAVE the honour to acquaint you that no payments have been made by the Courts of Mixed Commission to the Liberated African Department in this Colony, on account of captured slaves, during the quarter ending this day.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 39.

Her Majesty's Acting Judge to Earl Russell.—(Received November 12.)

(No. 38. General.)
My Lord, *Sierra Leone, September* 30, 1864.

WITH reference to my despatch No. 29 of 19th August, reporting the detention of the Italian ship "*Riccardo Schmidt*" in this harbour, by Lieutenant Dunlop, R.N., on suspicion of having been fitted for the Slave Trade, I have now the honour to inform your Lordship that the case was tried in the Vice-Admiralty Court on the 26th instant, when the vessel was restored, without costs and damages.

I have the honour further to report that before Lieutenant Dunlop left the colony, but after the trial had concluded a letter was received from Commodore Wilmot, confirming the suspicious movements of this vessel.

There are other circumstances which require explanation with regard to the "*Riccarda Schmidt*," and which can only be cleared up on the arrival of the "*Pandora*," a cruizer which the Captain of the "*Riccarda Schmidt*" asserts to have visited his vessel, but of which there is no official entry in the log.

The owners of the "*Riccarda Schmidt*" have, I understand, given notice of appeal, in hopes of obtaining damages and costs, but I trust your Lordship will find that Lieutenant Dunlop deserves the favourable consideration of the Government.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 40.

Her Majesty's Acting Judge to Earl Russell, No. 39, *September* 30, 1864.

[Report for year ending September 30.]

No. 41.

Her Majesty's Acting Judge to Earl Russell, Separate, September 16, 1864.

[Respecting Mr. Ashwood's application for Clerkship to Commissioners.]

No. 42.

Earl Russell to Her Majesty's Acting Judge, No. 14, *November* 23, 1864.

[Transmitting Slave Trade information.]

No. 43.

Her Majesty's Acting Judge to Earl Russell.—(Received December 12.)

(No. 41. General.)

My Lord, *Sierra Leone, November* 6, 1864.

I HAVE the honour to forward to your Lordship a letter from the Registrar, respecting the state of the Mixed Commission boat.

As the Spanish Acting Judge agrees with me that it will be more advisable to purchase a new boat than to repair the old one, I have the honour to request that your Lordship will be pleased to forward the authority to enable me to purchase a boat here of the description mentioned in Mr. Smith's letter.

I calculate that the difference of expense between repairing the old boat and building a new one (disposing of the old boat) will not exceed 10*l*. or 12*l*.

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure in No. 43.

Mr. Smith to the Judges of the Mixed Commission Courts.

Gentlemen, *Registry Office, Mixed Courts, Sierra Leone, November* 5, 1864.

I BEG to bring under your notice the state of the Mixed Commission boat, which requires repairs to be done to her so as to render her seaworthy. This boat being clinker-built is weak in structure, and necessarily requires frequent repairs. Last year her repairs amounted to 20*l*. 10*s*., and a similar amount, if not more, must be expended on her this year, for the older she gets the heavier the outlay to keep her in proper condition.

One of the shipwrights of the Colony, by the name of Joseph Shaw, has engaged to repair her thoroughly for 20*l*. 8*s*.

Another shipwright, B. H. Zizer, has engaged to build a carvel-boat with wismore boards, of equal dimensions, copper fastened, &c., and to find all the materials, including three coats of paint, for 35*l*.

I therefore beg your Honours to determine as to whether the old boat should be repaired at the heavy expense of 20*l*. 8*s*., which will last for about six months, or whether it would not be better to order a new boat to be built, and to dispose of the old one to meet the expenses of the new.

I have, &c.

(Signed) WM. SMITH, *Registrar*.

No. 44.

Her Majesty's Acting Judge to Mr. Hammond.—(Received December 12.)

(No. 42. General.)

Sir, *Sierra Leone, November* 14, 1864.

I HAVE the honour to acknowledge the receipt of your despatch No. 12 of the 15th ultimo, inclosing a Memorandum containing information respecting the movements of vessels suspected of being intended for the Slave Trade on this coast.

I shall communicate the information in question to the Commander of the first cruizer which arrives in the harbour.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 45.

Her Majesty's Acting Judge to Earl Russell.—(*Received December* 12.)

(No. 11. Spain.)

My Lord, *Sierra Leone, November* 8, 1864.

I HAVE the honour to inform your Lordship that on board the lately-condemned Spanish ship "*America*" were found the effects of deceased persons connected with her, who died prior to her capture.

From the inventory and appraisement of these articles, a copy of which is herewith transmitted, it will be seen that some of them have the initials of John Edgar, the English engineer who went with the vessel to Mozambique, as is asserted, to establish a factory there, and where he died. Others have the initials of José Ripoll, reported to have been the agent of the house of Viuda de Portilla, and who was said to have been drowned at the Bar of Inhambane. The remainder have no distinguishing marks.

In the absence of any precedent, these articles are lodged in the Mixed Commission Court pending your Lordship's instructions thereon.

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure in No. 45.

INVENTORY and Appraisement of Articles of Deceased Persons connected with the lately condemned Spanish ship "*America*."

Number and Description of Articles.	Value. £	s.	d.	Remarks.	Number and Description of Article.	Value. £	s.	d.	Remarks.
1 carpet bag	0	2	0	Without marks.	2 cotton pocket handkerchiefs	0	0	3	Without marks.
2 pairs boots	0	3	0		1 pair cotton drawers	0	0	3	
1 pair gloves	0	0	3		1 cap	0	0	3	
1 pair goloshes	0	3	6		1 comforter	0	0	6	
1 letter from James Cort to Mr. Edgar.				Of no importance	2 pairs socks	0	0	6	Marked J. E.
2 pocket books and pamphlets in Spanish		...			2 snuff boxes (1 silver mounted)	0	10	6	
1 book and pamphlet in English		...			1 brush	0	0	1	Without marks.
1 portmanteau	0	5	0	Without marks.	2 short clay pipes	0	0	2	
1 writing case, pens and pencils	0	3	6		1 penholder and knife	0	1	6	
1 tin of snuff	0	1	0		2 bags dirty old linen	0	10	0	
1 spirit level (brass bound)	0	15	0	Marked J. E.	1 silver watch and chain	4	0	0	Marked J. E.
1 ditto (steel bound)					1 razor and 1 tin blacking	0	0	0	Useless.
2 waistcoats	0	2	6	Without marks.	3 shaving glasses	0	0	2	Without marks.
3 pairs trowsers	0	7	6		1 mat	0	1	0	
6 pairs stockings	0	4	6		1 pair eye glasses	0	2	6	Supposed to have belonged to John Edgar, the engineer.
2 pairs braces	0	1	0		2 squares	0	1	0	
1 pair slippers	0	2	0		1 rule	0	0	6	
5 old boots	0	15	0		2 pairs compasses	0	1	6	
5 coats	0	10	6		1 hand vice	0	1	6	
1 old trunk	0	3	0		1 plumb	0	1	6	
4 white shirts	0	4	0	Marked J. R.	1 solder	0	0	3	
3 ditto	0	3	0	Without marks.	1 punch	0	0	1	
2 coloured shirts	0	1	6		1 steel pin	0	0	3	
8 collars	0	3	0		2 pairs callipers	0	0	6	
2 sheets	0	3	0	Marked J. E.	1 scribe 3*d.*, 1 clip 1*d.*	0	0	4	
					Total	10	8	10	

Sierra Leone, November 7, 1864.

(Signed) A. PIKE, *Marshal Mixed Courts.*
JOHN ASHWOOD.

No. 46.

Her Majesty's Acting Judge to Earl Russell.—(*Received December* 12.)

(No. 13. Spain.)

My Lord, *Sierra Leone, November* 19, 1864.

I HAVE the honour to transmit to your Lordship the account sales of the Spanish ship "*America*," which was condemned in the British and Spanish Mixed Court of Justice on 25th August, 1864.

The net proceeds of the sale of the vessel and cargo, amounting to the sum of 1,068*l.* 6*s.* 4½*d.*, have been paid into the Treasury chest in this Colony, and a receipt for the amount from the Senior Commissariat Officer accompanies the inclosed accounts.

There has been an unusual delay in completing these accounts, which was caused by circumstances set forth in a letter from the Marshal to the Registrar, a copy of which I forward to your Lordship, and which explanations I beg to say are quite correct.

I have, &c.
(Signed) SAM. W. BLACKALL.

Inclosure 1 in No. 46.

British and Spanish Mixed Court of Justice.

Spanish ship "America."

GENERAL ACCOUNT showing Net Proceeds of the Sale of the Hull, Tackle, Apparel, Furniture, and Stores of the Spanish ship "*America*," condemned in the British and Spanish Mixed Court of Justice for the prevention of the illicit Traffic in Slaves, on the 25th August, 1864.

	£ s. d.	£ s. d.
By Gross amount of sale		1,925 9 1
Moneys taken from the crew of the "*America*"		65 13 2½
		1,991 2 3½
Disbursements.		
To 3½ per cent. commission on amount of sale (1,925*l.* 9*s.* 1*d.*)	67 7 10	
Amount of contingent expenses, viz. :—	£ s. d.	
Surveyors reporting on the outfit and equipment	29 8 0	
Labourers employed in shifting and landing the cargo, &c., &c.	191 12 8	
Other expenses	89 11 4	
Customs duties and charges	139 6 1	
	449 18 1	
Amount of Marshal's account	405 10 0	
		922 15 11
Net proceeds		1,068 6 4½

Amounting to the sum of one thousand and sixty-eight pounds, six shillings, and four pence halfpenny.

(Signed) A. PIKE, *Marshal.*

Sierra Leone, 15th November, 1864.

ACCOUNT SALES of the Hull, Tackle, Furniture, and Stores of the Spanish ship "*America*," condemned in the British and Spanish Mixed Court of Justice, for the prevention of the illicit Traffic in Slaves, on the 25th August, 1864.

Articles.	Quantity.	Purchaser.	Amount.
			£ s. d.
Large spars topmast	2	F. Nicol	4 1 0
Second size spars mizenmast	2	John Shaw	2 16 0
Third ditto ditto	2	T. F. Vallantin	1 7 0
Third ditto ditto	2	Ditto	2 0 0
Wiskers	2	Lewis Nicol	1 5 0
Topsail yards	2	T. F. Vallantin	1 12 0
Top-gallant yards	2	Lewis Nicol	1 16 0
Flying jibboom and spars	6	Captain Poiters	2 2 0
Spars	3	A. A. Company	4 6 0
Large blocks	1 lot	Captain Poiters	3 0 0
Blocks	Ditto	William Lewis	2 15 0
Ditto	Ditto	Ditto	1 12 0
Tins and sundries	Ditto	Thomas Peters	0 4 9
Standing rigging	Ditto	John Jones	5 1 0
Ditto	Ditto	W. H. Randall	3 10 0
Ditto	Ditto	Captain Poiters	3 13 0
Ditto	Ditto	T. F. Vallantin	4 10 0
Ditto	Ditto	— Urachard	4 11 0
Ditto	Ditto	W. H. Randall	3 15 0
Ditto	Ditto	Ditto	4 0 0
Ditto	Ditto	Captain Milbourne	4 10 0
Large monkey	Ditto	Captain Turfts	1 12 0
Bell	1	John Shaw	3 11 0
Flat dishes	6	Charles B. Bucknor	0 5 0
Ditto	6	Ditto	0 6 0
Plates and dishes	48	Lewis Nicol	1 2 0
Ditto	48	Ditto	1 5 0

Articles.	Quantity.	Purchaser.	Amount. £	s.	d.
Plates and dishes	48	William Thorpe	0	19	0
Ditto	48	James Shaw	1	10	0
Plates	36	Samuel Decker	0	13	0
Plates and dishes	48	Ditto	1	6	0
Plates	72	William Thorpe	0	19	0
Ditto	72	Captain Poiters	0	18	0
Ditto	72	T. F. Vallantin	0	18	0
Plates and soup tureen	36	William Wilson	0	12	0
Saucers and tea-pots	20 dozen	Thomas Cole	0	13	0
Cruet stands and broken crockery	1 dozen	Thomas Buckle	1	1	0
Pannikins, &c.	1 lot	Captain Poiters	0	8	0
Tumblers and wine glasses	Ditto	C. B. Bucknor	2	10	0
Monkey	1	Captain Goudy	0	18	0
Ditto	1	C. B. Bucknor	0	18	0
Ditto	1	Captain Goudy	0	12	0
Main-yard	1	W. H. Randall	4	16	0
Fore-yard	1	A. A. Company	5	0	0
Topmast-yard	1	T. F. Vallantin	3	19	0
Main-topsail-yard	1	John Shaw	1	10	0
Ditto	1	W. H. Randall	1	10	0
Jibboom	1	William Lewis	1	1	0
Ditto	1	A. A. Company	3	11	0
Crutches-yard	1	Thomas Macaulay	1	1	0
Spanker-boom	1	A. A. Company	2	14	0
Topsail-yard	1	W. H. Randall	1	10	0
Topmast	1	Ditto	1	14	0
Top-gallant-mast	1	T. F. Vallantin	0	13	0
Rough rice	1 ton	William Chapman	3	16	0
Ditto	10 „ at 76*s.*	J. B. Pratt	38	0	0
Ditto	5 „ at 75*s.*	Lewis Nicol	18	15	0
Ditto	2 „ at 76*s.*	Henry Wilson	7	12	0
Ditto	2 „ at 75*s.*	Captain Pouchat	7	10	0
Ditto	3 „ at 73*s.*	C. F. Hazleborg	10	19	0
Ditto	5 „ at 72*s.*	Charles Pyne	18	0	0
Ditto	1 „ at 73*s.*	J. C. White	3	13	0
Cloves	2 bags, 282 lbs., at 4½*d.*	T. W. Hughes	5	5	9
Ditto	5 „ 687 „ 3½*d.*	H. Lumpkin	10	0	4½
Ditto	3 „ 353 „ 3*d.*	G. H. Shepherd	4	8	3
Ditto	3 „ 418 „ 2¾*d.*	A. A. Company	4	15	9½
Ditto	2 „ 354 „ 3*d.*	G. H. Shepherd	4	8	6
Ditto	3 „ 423 „ 3*d.*	H. Pearce	5	5	9
Ditto	2 „ 287 „ 3*d.*	T. W. Hughes	3	11	9
Blocks	1 lot	Lewis Nicol	1	11	0
Ditto	Ditto	William Lewis	0	13	0
Ditto	Ditto	Ditto	0	12	0
Ditto	Ditto	Ditto	1	8	0
Ditto	Ditto	Lewis Nicol	1	10	0
Chains	Ditto	W. H. Randall	1	2	0
Ditto	Ditto	William Lewis	5	11	0
Ditto	Ditto	William Thorpe	3	11	0
Ditto	Ditto	Lewis Nicol	4	15	0
Ditto	Ditto	John Shaw	4	1	0
Ditto	Ditto	W. H. Randall	4	2	0
Mooring swivels	Ditto	Ditto	1	6	0
Windsails	2	John Nicol	0	18	0
Flying jib, standing jib, and fore-top-mast-staysail	1 lot	Henry Rider	8	0	0
Fore-sail	1	Lewis Nicol	9	15	0
Top-sail	1	T. F. Vallantin	8	0	0
Top-gallant sail and fore-royal	2	W. H. Randall	4	12	0
Maintop-mast stay-sail and maintop-gallant stay-sail	2	John Palmer	2	2	0
Main-sail	1	T. F. Vallantin	8	0	0
Maintop-sail	1	W. H. Randall	7	15	0
Top-gallant sail and top-royal	2	W. H. Randall	3	5	0
Maintop-sail	1	A. A. Company	5	11	0
Mizentop-sail	1	Ditto	5	6	0
Mizentop-gallant sail and royal	2	John Cole	1	15	0
Spanker	1	T. Macaulay	4	11	0
Jib and stay-sail	2	James George	1	6	0
Fore-sail	1	W. H. Randall	4	5	0
Fore-topsail	1	Ditto	5	5	0
Fore-topgallant-sail and main-top-gallant-topsail	2	Lewis Nicol	7	0	0
Main-sail	1	W. H. Randall	2	19	0
Main-topsail	1	W. H. Randall	5	11	0
Awnings	2	A. A. Company	7	1	0

Articles.	Quantity.	Purchaser.	Amount. £	s.	d.
Top-gallant studding-sails	3	Lewis Nicol	5	10	0
Table and benches	3	William Chapman	1	4	0
Small table and benches	3	Macaulay, Brothers	1	1	0
Sextant	1	Evans, Brothers	9	5	0
Quadrants	3	Ditto	2	0	0
Chronometer	1	A. A. Company	14	5	0
Compass	1	Ditto	2	2	0
Barnacle lamps and compass	3	Henry Lumpkin	3	0	0
Compasses	2	John Shaw	1	13	0
Compass and card	2	A. A. Company	1	19	0
Barometer	1	James George	1	8	0
Rough rice	3 tons, at 73*s.*	Henry Wilson	10	19	0
Ditto	1 „ 70*s.*	Pilot Johnson	3	10	0
Ditto	1 „ 70*s.*	W. B. Campbell	3	10	0
Ditto	10 „ 69*s.*	J. B. Pratt	34	10	0
Ditto	2 „ 67*s.*	William Chapman	6	14	0
Ditto	10 „ 63*s.*	T. W. Hughes	31	10	0
Ditto	3 „ 65*s.*	T. F. Vallantin	9	15	0
Cloves	4 bags, 572 lbs. at 3¼*d.*	W. E. Cole	8	6	10
Ditto	3 „ 435 „ 2½*d.*	Henry Wilson	4	10	7½
Ditto	1 „ 139 „ 2½*d.*	T. Macaulay	1	8	11½
Ditto	2 „ 284 „ 2½*d.*	William Wilson	2	13	3
Ditto	2 „ 283 „ 2*d.*	John Macaulay	2	7	2
Ditto	2 „ 286 „ 2*d.*	William Chapman	2	7	8
Ditto	2 „ 280 „ 2*d.*	Henry Williams	2	6	8
Ditto	5 „ 704 „ 2½*d.*	William Macaulay	6	12	0
Ditto	4 „ 589 „ 2½*d.*	Henry Coker	5	10	5
Ditto	10 „ 1,425 „ 2½*d.*	T. F. Vallantin	13	7	2
Ditto	2 „ 283 „ 2½*d.*	G. Shepherd	2	13	1
Ditto	2 „ 292 „ 2½*d.*	W. Pratt	2	14	9
Ditto	2 „ 290 „ 2½*d.*	Samuel Lewis	2	14	4½
Ditto	2 „ 272 „ 2½*d.*	John McFoy	2	11	0
Ditto	2 „ 271 „ 2½*d.*	T. F. Vallantin	2	10	9¾
Ditto	1 „ 130 „ 2½*d.*	Ditto	1	4	4½
Ditto	1 „ 139 „ 2½*d.*	Ditto	1	6	0¾
Ditto	1 „ 139½ „ 2½*d.*	Ditto	1	6	2
Ditto	1 „ 140 „ 2½*d.*	Ditto	1	6	3
Ditto	1 „ 144 „ 2½*d.*	Ditto	1	7	0
Rough rice	6 tons, at 65*s.*	H. J. Huggins	19	10	0
Cloves	1 bag, 145 lbs., at 2½*d.*	T. F. Vallantin	1	7	2½
Ditto	1 „ 145 „ 2½*d.*	Ditto	1	7	2½
Ditto	1 „ 142 „ 2½*d.*	Henry Lumpkin	1	9	7
Ditto	1 „ 146 „ 2½*d.*	T. F. Vallantin	1	10	5
Ditto	10 „ 1,376 „ 2½*d.*	Ditto	12	18	0
Ditto	10 „ 1,421 „ 2⅝*d.*	William Lewis	14	1	3
Ditto	1 „ 142 „ 2⅝*d.*	Ditto	1	8	1
Ditto	1 „ 133 „ 2½*d.*	T. Macaulay	1	4	11¼
Ditto	1 „ 136 „ 2½*d.*	J. W. George	1	8	4
Ditto	5 „ 694 „ 2⅝*d.*	Henry James	6	17	5
Ditto	5 „ 714 „ 2⅝*d.*	Robert Coker	7	1	4
Ditto	10 „ 1,430 „ 2⅝*d.*	T. W. Hughes	14	3	0
Ditto	10 „ 1,343 „ 2⅝*d.*	Henry Lumpkin	13	5	9
Ditto	1 „ 146 „ 2½*d.*	T. F. Vallantin	1	10	5
Ditto	1 „ 142 „ 2½*d.*	Ditto	1	6	7½
Nails and iron hoops	1 lot	Captain Poiters	0	17	0
Old iron	Ditto	Ditto	0	14	0
Can-hooks, fish-hooks, shackles, and cut pins	Ditto	John Macfoy	1	1	0
Iron bolts	Ditto	Thomas Buckle	1	19	0
Shackles, belaying-pins, bands, &c.	Ditto	Lewis Nicol	1	4	0
Iron tins and sheaves	Ditto	Joseph Uter	0	7	0
Cross-trees, fids, and caps	4 lots	John Lumpkin	0	11	0
Small anchor	1 lot	John Shaw	4	3	0
Ditto	Ditto	Ditto	3	2	0
Davits	1 pair	Thomas Shaw	1	0	0
Small davits	Ditto	Lewis Nicol	1	11	0
Fittings and racks	1 lot	G. H. Shepherd	1	8	0
Stud-sail booms	3	Captain Poiters	3	3	0
Royal-yard and top-gallant studding-sail booms	4	Morgan Lewis	1	7	0
Top-gallant mast and yard	2	James George	1	11	0
Figure-head, grating, and old box	1 lot	Lewis Nicol	1	1	0
Cabin fittings	Ditto	George F. Davis	0	10	0
Panels and facings	Ditto	Ditto	0	12	0
Doors	Ditto	T. F. Vallantin	0	12	0
Ditto	Ditto	Ditto	0	15	0

Articles.	Quantity.	Purchaser.	Amount.
			£ s. d.
Doors	1 lot	Edward Cole	0 17 0
Ditto	Ditto	T. F. Vallantin	0 19 0
Iron caps and poles	Ditto	John Cole	2 15 0
Blocks, damaged casks, containing old slush, congealed, and old ropes	Ditto	David George	1 2 0
Blocks	Ditto	Edward Cole	0 13 0
Large wharpe	1	W. H. Randall	4 0 0
Hawser	1	T. F. Vallantin	10 15 0
Large line	1	Lewis Nicol	3 9 0
Small ditto	1	A. A. Company	3 15 0
Large ditto	1	W. H. Randall	3 0 0
Cocoa nuts	1 lot	Morgan Lewis	1 2 0
Ditto	Ditto	T. W. Hughes	0 19 0
Ditto	Ditto	James Wilson	1 0 0
Ditto	Ditto	Henry Wilson	0 19 0
Ditto	Ditto	Thomas Hamilton	0 19 0
Ditto	Ditto	Peter Smart	0 17 0
Lead	425 lbs., at 2½*d.* per lb.	Thomas Buckle	4 8 6½
Cocoa nuts	1 lot	Thomas Bishop	0 8 0
Washstand, book-case, and small glass	Ditto	T. F. Vallantin	2 7 0
Short chains	1 lot	John Shaw	1 11 0
Rope machine and rigging-screw	2	Captain Poiters	1 0 0
Swinging-trays	2	J. Uter	0 10 0
Small towels	30 dozen	Morgan Lewis	2 18 0
Looking-glasses	2	C. Saville Smith	1 16 0
Small towels	12 dozen	F. G. Reader	2 0 0
Ditto	Ditto	C. Saville Smith	2 0 0
Ditto	Ditto	Thomas Hughes	2 0 0
Ditto	Ditto	G. H. Shepherd	2 2 0
Ditto	8 dozen	J. Uter	1 16 0
Coil Manilla rope	1,175 lbs., at 6*d.*	John Shaw	4 7 6
Ditto	1,121 „ 5½*d.*	R. J. Fisher	2 15 5½
Boxes, vermicelli	3	Charles Pyne	0 17 0
Ditto	3	H. Lumpkin	0 17 0
Ditto	2	Thomas Buckle	0 13 0
Muskets	1 lot	J. Uter	3 1 0
Ditto	Ditto	John Lumpkin	1 9 0
Ditto	Ditto	Thomas Hughes	1 6 0
8 mats, 3 bottles, liqueur, 6 tins preserved meats, and sea shells	Ditto	J. Uter	1 18 0
Ladies' fans	1 box	G. H. Shepherd	1 11 0
Ebony	1 ton	W. H. Randall	5 8 0
Ditto	Ditto	T. F. Vallantin	5 8 0
Ditto	Ditto	W. H. Randall	5 11 0
Spices	2 bags, 280 lbs., at 1⅝*d.*	Captain Poiters	1 17 11
Ditto	2 „ 282 „ 1⅝*d.*	T. F. Vallantin	1 18 2
Ditto	10 „ 1,410 „ 1½*d.*	John Davis	8 16 3
Ditto	2 „ 280 „ 1½*d.*	J. W. George	1 15 0
Ditto	10 „ 1,410 „ 1½*d.*	T. F. Vallantin	8 16 3
Ditto	10 „ 1,421 „ 1½*d.*	George Shepherd	8 17 7
Ditto	10 „ 1.372 „ 1½*d.*	J. B. McCarthy	8 11 6
Ditto	10 „ 1,393 „ 1½*d.*	W. Thorpe	8 14 1
Ditto	10 „ 1,429 „ 1½*d.*	Henry Lumpkin	8 18 7½
Ditto	2 „ 264 „ 1½*d.*	T. W. Hughes	1 13 0
Ditto	2 „ 282 „ 1¾*d.*	John Pratt	2 1 1
Ditto	2 „ 283 „ 1¾*d.*	Captain Goudy	2 1 3
Ditto	3 „ 433 „ 1¾*d.*	C. Saville Smith	3 3 1¾
Ditto	10 „ 1,433 „ 1¾*d.*	Morgan Lewis	10 9 0
Ditto	10 „ 1,420 „ 1¾*d.*	T. F. Vallantin	10 7 1
Ditto	10 „ 1,432 „ 1¾*d.*	Isaac Martin	10 8 10
Ditto	1 „ 141 „ 2*d.*	T. F. Vallantin	1 3 6
Ditto	1 „ 141 „ 2*d.*	Ditto	1 3 6
Ditto	1 „ 141 „ 2*d.*	Ditto	1 3 6
Ditto	10 „ 1,409 „ 2*d.*	Thomas Terry	11 14 10
Ditto	2 „ 277 „ 2*d.*	John Macfoy	2 6 2
Ditto	5 „ 774 „ 2*d.*	John A. Wise	6 9 0
Ditto	4 „ 563 „ 2*d.*	James George	4 13 10
Ditto	4 „ 581 „ 2*d.*	Matthew Palmer	4 16 10
Ditto	2 „ 282 „ 2¼*d*	T. F. Vallantin	2 12 10½
Ditto	2 „ 281 „ 2*d.*	J. J. Carew	2 6 10½
Ditto	2 „ 289 „ 2¾*d.*	John Macaulay	3 6 3
Ditto	2 „ 292 „ 1¾*d.*	William Wilson	2 2 7
Ditto	10 „ 1,420 „ 1¾*d.*	T. F. Vallantin	10 7 1
Ditto	10 „ 1,428 „ 1¾*d.*	W. H. Randall	10 8 3
Ditto	10 „ 1,420 „ 1¾*d.*	T. F. Vallantin	10 7 1
Ditto	10 „ 1,420 „ 1¾*d*	Ditto	10 7 1

Articles.	Quantity.	Purchaser.	Amount. £	s.	d.
Spices	10 bags, 1,420 lbs. at 1¾d.	T. F. Vallantin	10	7	1
Ditto	10 „ 1,410 „ 2d.	Ditto	11	15	0
Ditto	10 „ 1,411 „ 1⅞d.	Ditto	10	5	9½
Ditto	10 „ 1,404 „ 1⅞d.	W. H. Randall	10	19	4½
Ditto	2 „ 283 „ 2d.	Ditto	2	7	2
Ditto	10 „ 1,420 „ 1⅞d.	T. F. Vallantin	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,410 „ 2d.	W. H. Randall	11	15	0
Ditto	10 „ 1,420 „ 1⅞d.	T. F. Vallantin	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Ditto	10 „ 1,420 „ 1⅞d.	Ditto	11	1	10½
Chain	75 fathoms	W. H. Randall	11	0	0
Boat	1	Ditto	3	10	0
Cask, bread, a box, and cruet frame	1 lot	William Thorpe	0	19	0
Sucking pipes and strainers	Ditto	Charles Pyne	0	5	0
Jar and empty tins	Ditto	William Wilson	0	11	0
Staysail booms	4	G. F. Davis	1	8	0
Old casks (different sizes)	23	James John	0	14	0
Old boxes and new corks	1 lot	Lewis Nicol	0	9	0
Gunwale	1	T. W. Hughes	1	12	0
Firewood	1 lot	T. D. Williams	0	15	0
Ditto	Ditto	Ditto	0	12	0
Ditto	Ditto	John Shaw	2	5	0
Old coop and wooden gratings	Ditto	Lewis Nicol	0	15	0
Firewood	Ditto	J. C. Gray	1	15	0
Cabin doors and fittings	Ditto	Edward Cole	0	18	0
Firewood	Ditto	T. D. Williams	0	17	0
Firewood and eagle figure	Ditto	Edward Cole	0	12	0
1 wheel, 1 windlass, and 1 stock	Ditto	Henry Wilson	0	14	0
Firewood	Ditto	Lewis Nicol	0	13	0
Ladders	4	C. B. Bucknor	0	16	0
Window glass and frame	1 lot	Captain Poiters	0	17	0
Casks, pork, about ¼ full each	2 lots	Henry Davis	0	17	0
Sole leather	1 lot	John Shaw	0	13	0
1½ cask and demijohn vinegar, 1 empty cask and 1 empty demijohn	Ditto	James B. Benjamin	0	19	0
Cocoa nuts	Ditto	Thomas Hamilton	0	19	0
Ditto	Ditto	Morgan Lewis	0	15	0
Stools	5	W. R. Taylor	1	4	0
2 dozen and 10 knives, 3 dozen and 5 forks (new); 1 dozen and 8 knives, 3 dozen and 6 forks (old), and 5 ladles.	1 lot	John Davis	2	0	0
6 pairs ladies' boots, 2 hats, 1 box, Spanish almanack, and 1 table top	Ditto	R. J. Fisher	1	10	0
¼ cask flour, decanter, and wash-hand-bason	Ditto	Thomas Terry	1	6	0
1 cask cork and 1 box lamp-wicks	Ditto	Morgan Lewis	1	10	0
Cloves	10 bags, 1,417 lbs. at 1¾d.	William Walker	10	6	7¾
Ditto	10 „ 1,417 „ 1¾d.	Thomas Terry	10	6	7¾
Ditto	10 „ 1,419 „ 1¾d.	R. J. Fisher	9	12	1
Ditto	10 „ 1,429 „ 1¾d.	T. F. Vallantin	9	13	5
Ditto	10 „ 1,384 „ 1¾d.	T. W. Hughes	10	1	10
Ditto	10 „ 1,377 „ 1¾d.	William Macaulay	10	0	9¾
Ditto	10 „ 1,413 „ 1¾d.	Thomas Williams	10	6	0¾
Ditto	10 „ 1,415 „ 1¾d.	H. Pearce	10	6	4¼
Ditto	10 „ 1,428 „ 1¾d.	Samuel Lewis	10	8	3
Ditto	10 „ 1,416 „ 1¾d.	H. Lumpkin	10	6	6
Ditto	10 „ 1,409 „ 1¾d.	T. F. Vallantin	10	5	5¾
Ditto	10 „ 1,390 „ 1¾d.	Lewis Nicol	10	2	8¼
Ditto	10 „ 1,421 „ 1¾d.	T. F. Vallantin	10	7	2¾
Ditto	10 „ 1,444 „ 1¾d.	Ditto	10	10	7
Ditto	10 „ 1,391 „ 1¾d.	Ditto	10	2	10¼
Lead	1 box, 248 „ 1¼d.	J. B. McCarthy	1	5	10
Ditto	1 „ 221 „ 1¼d.	Ditto	1	3	0¼

Articles.	Quantity.	Purchaser.	Amount. £ s. d.
Top of the forecastle poop	1 lot	T. W. Hughes	2 5 0
Guns and carriage	2	Ditto	1 12 0
Cloves	10 bags, 1,451 lbs. at 1½d.	T. F. Vallantin	9 1 4½
Ditto	10 „ 1,384 „ 1½d.	James George	8 13 0
Ditto	10 „ 1,394 „ 1½d.	T. W. Hughes	8 14 3
Ditto	10 „ 1,413 „ 1½d.	T. F. Vallantin	8 16 7½
Ditto	10 „ 1,399 „ 1½d.	G. H. Shepherd	8 14 10½
Ditto	10 „ 1,379 „ 1½d.	T. F. Vallantin	8 12 4½
Rice	1 ton	John Lumpkin	4 12 0
Ditto	Ditto	T. W. Hughes	5 2 0
Ditto	Ditto	Edward Cole	5 8 0
Signal and other lanterns	1 lot	R. J. Fisher	2 5 0
Medicine, jar glasses, and copper	Ditto	G. H. Shepherd	0 8 0
Rice	1 ton	Henry Lumpkin	3 8 0
Ditto	Ditto	James John	3 11 0
Ditto	Ditto	William John	3 11 0
Ditto	Ditto	J. D. Macaulay	3 12 0
Ditto	Ditto	T. F. Vallantin	3 11 0
Ditto	Ditto	W. Chapman	3 11 0
Ditto	Ditto	R. R. Elliott	3 11 0
Ditto	Ditto	Ditto	3 11 0
Ditto	Ditto	James Macfoy	3 10 0
Ditto	Ditto	James Benjamin	3 11 0
Ditto	Ditto	Ditto	3 12 0
Ditto	Ditto	Ditto	3 11 0
Ditto	Ditto	J. C. Taylor	3 4 0
Ditto	Ditto	John Lumpkin	3 9 0
Ditto	Ditto	W. Chapman	3 6 0
Ditto	Ditto	Ditto	3 7 0
Ditto	Ditto	T. W. Hughes	3 3 0
Ditto	Ditto	John Lumpkin	3 5 0
Cloves	10 bags, 291 lbs. at 1⅞d.	J. Macfoy	2 5 5½
Ditto	10 „ 320 „ 1⅞d.	Morgan Lewis	2 10 0
Ditto	10 „ 328 „ 2d.	Thomas Cole	2 14 8
Ditto	10 „ 328 „ 2¼d.	H. Pearce	3 1 6
Ditto	10 „ 329 „ 2½d.	T. Hazeley	3 8 6½
Ditto	10 „ 280 „ 2¾d.	J. George	3 4 2
Ditto	10 „ 319 „ 2⅞d.	John Lake	3 16 5
Ditto	10 „ 317 „ 2⅞d.	Christopher Taylor	3 15 11¼
Ditto	10 „ 355 „ 2⅞d.	J. W. George	4 5 1
Ditto	6 „ 192 „ 2¾d.	John Macfoy	2 4 0
Ditto	2 „ 281 „ 2¼d.	T. Hazeley	2 12 8¼
Ditto	2 „ 282 „ 2d.	J. W. George	2 7 0
Ditto	2 „ 276 „ 2¼d.	T. F. Vallantin	2 11 9
Ditto	2 „ 291 „ 2⅜d.	R. Coker	2 17 7
Ditto	2 „ 266 „ 2¼d.	John Macfoy	2 19 10½
Ditto	2 „ 286 „ 2d.	Christopher Taylor	2 7 8
Ditto	2 „ 269 „ 2d.	Ditto	2 4 10
Ditto	2 „ 301 „ 2d.	R. Coker	2 10 2
Ditto	2 „ 290 „ 2⅜d.	J. Macfoy	2 17 4¾
Ditto	2 „ 292 „ 2d.	T. F. Vallantin	2 8 8
Ditto	2 „ 281 „ 2⅜d.	T. Bishop	2 15 7¼
Ditto	2 „ 293 „ 2⅜d.	Morgan Lewis	2 17 11¾
Ditto	3 „ 214 „ 2⅜d.	H. Pearce	2 2 4½
Ditto	5 „ 154 „ 2⅜d.	J. W. George	1 10 5¾
Ditto	6 „ 213 „ 2⅜d.	H. Pearce	2 2 2
Cooking stove	1	H. Jones	0 17 0
Pumps	2	T. W. Hughes	1 10 0
Steel yard and rat traps	6	John E. Dawson	0 8 0
Clock, pistol, &c.	2	Lewis Nicol	1 8 0
Opera-glass, spy-glass, ship's trumpet, charts, &c.	1 lot	R. J. Fisher	1 16 0
Canvas	1 piece	John Macfoy	1 12 0
Running rigging	1 lot	Lewis Nicol	1 0 0
Ditto	Ditto	Ditto	1 7 0
Ditto	Ditto	R. Coker	1 16 0
Ditto	Ditto	James Benjamin	1 1 0
Ditto	Ditto	Charles Pyne	2 8 0
Ditto	Ditto	James John	1 19 0
Ditto	Ditto	R. J. Fisher	4 0 0
Heaving blocks	2	J. Davis	1 2 0
Ropes	1 lot	Thomas Peters	0 9 0
Colour signals	1 box	R. J. Fisher	1 10 0
Port windows	2	Morgan Lewis	0 4 0
Port bulls' eyes	3	J. W. Whitefield	0 9 0
Medicine, matches, &c.	1 lot	A. Bylong	0 17 0

Articles.	Quantity.	Purchaser.	Amount. £	s.	d.
White and red beads	15 strings	A. Bylong	0	5	0
Part of the hull beams	4 pieces	James John	0	4	0
Portions of hull planks and lower deck	1 lot	T. W. Hughes	4	10	0
Empty cask, hatch covers, &c.	Ditto	James John	1	0	0
Beams and lower masts	4 pieces	C. F. Hazleborg	1	6	0
Portions of the hull	1 lot	Ditto	0	2	6
Part of the deck of the hull	Ditto	H. J. Huggins	2	11	0
Ditto	Ditto	Ditto	3	11	0
Mizen-mast	1	William Wilson	4	8	0
Fore-mast	1	H. J. Huggins	3	1	0
Chain cables	1 lot	Ditto	7	7	0
Ditto	Ditto	T. W. Hughes	6	7	0
Windlass handles	2	C. F. Hazleborg	0	18	0
Main-mast	1	H. J. Huggins	4	19	0
Anchor	1	T. W. Hughes	5	11	0
Rice	1 ton	James William	3	5	0
Ditto	Ditto	William Blackman	3	5	0
Ditto	Ditto	Jupiter Vallantin	3	5	0
Ditto	Ditto	T. F. Vallantin	3	0	0
Ditto	Ditto	Ditto	2	16	0
Ditto	Ditto	Ditto	2	15	0
Ditto	Ditto	Ditto	2	16	0
Ditto	Ditto	C. Saville Smith	3	1	0
Ditto	Ditto	T. F. Vallantin	2	19	0
Ditto	Ditto	Ditto	2	18	0
Ditto	Ditto	Lewis Nicol	3	1	0
Ditto	Ditto	T. F. Vallantin	3	0	0
Ditto	Ditto	Ditto	3	1	0
Ditto	Ditto	Ditto	3	1	0
Ditto	Ditto	Ditto	3	1	0
Ditto	1 lot	J. Lumpkin	1	1	0
Sails	2	Lewis Nicol	2	0	0
Ditto	1	T. F. Vallantin	1	16	0
Ditto	1	Ditto	4	5	0
Ditto	1	Captain Poiters	1	11	0
Straw bags	1 lot	Lewis Nicol	0	15	0
Lead in tanks and pipes	460 lbs., at 2½*d.* per lb.	W. Chapman	4	15	10
Old iron	1 lot	Thomas Peters	2	1	0
Ditto	Ditto	John Davis	1	14	0
Pump composition	Ditto	Morgan Lewis	0	10	0
Ebony	Ditto	Otto Lowenthal	0	18	0
Ditto	Ditto	Ditto	0	16	0
Ditto	Ditto	Ditto	1	17	0
Chain	Ditto	Lewis Nicol	1	15	0
Old iron	Ditto	William Pratt	3	16	0
Flour	1 cask	James Gedion	1	5	0
Ditto	3 cases	G. H. Shepherd	1	10	0
Ropes	1 lot	T. W. Hughes	4	13	0
Fender	1	R. J. Fisher	0	5	0
Ropes	1 lot	Lewis Nicol	3	10	0
Tool box	1	John Decker	1	7	0
Paint	1 lot	Lewis Nicol	2	5	0
Tar and empty cans	Ditto	Morgan Lewis	1	18	0
Iron	Ditto	William Pratt	1	6	0
Turtle shells	Ditto	Otto Lowenthal	2	2	0
Copper	363 lbs., at 7½*d.* per lb.	Captain Milbourne	11	6	10½
Short pieces lead scupper	240 lbs., at 3¼*d.*	W. R. Taylor	3	5	0
Calavances	2½ bags	William Chapman	1	4	0
Cloves	1 bag, 142 lbs., at 3¼*d.*	Captain Poiters	1	18	5½
Ditto	1 „ 150 „ 2¾*d.*	Morgan Lewis	1	11	3
Ditto	4 „ 144 „ 3*d.*	Captain Poiters	1	16	0
Ditto	1 „ 155 „ 2¾*d.*	James George	1	15	6¼
Ropes	1 lot	T. W. Hughes	1	10	0
Old pots	Ditto	T. Macaulay	0	3	0
Sheet lead	351 lbs., at 1*d.*	William Chapman	1	9	3
Ditto	351 „ ¾*d.*	John Dawson	1	1	11¾
Ditto	589 „ 1*d.*	W. Chapman	2	9	1
Ditto	647 „ 1½*d.*	John Macaulay	4	0	10½
Boat	1	T. Milbourne	9	10	0
Grindstone	1	Lewis Nicol	0	11	0
Empty cask and sail	1 lot	T. F. Vallantin	3	1	0
Remaining portion of the ship	Ditto	Lewis Nicol	15	5	0
Broken portion of ship	Ditto	Captain Poiters	0	6	6
Ditto	Ditto	C. Saville Smith	0	5	0
2 magazines, with damaged powder	Ditto	Ditto	0	7	0

Articles.	Quantity.	Purchaser.	Amount. £	s.	d.
Specie :—Spanish dollars bored and not current	36 at 3*s.* 1*d.* ..	T. F. Vallantin	5	11	0
100-real gold pieces ..	19 at 16*s.* 4*d.* ..	Ditto	15	10	4
5 franc pieces, 1 ; francs, 4 ; ½ francs, 3	1 lot	Ditto	0	5	0
½ dollar, 1 ; ¼ dollar, 1 ..	Ditto	Ditto	0	2	0
Rice	1 ton .. .	H. J. Huggins	3	5	0
Old sails	3	T. F. Vallantin	4	0	0
			1,925	9	1

Amounting to the sum of one thousand nine hundred and twenty-five pounds, nine shillings, and one penny.

(Signed) A. PIKE, *Marshal, Mixed Commission Court.*

Sierra Leone, November 15, 1864.

ACCOUNT of Contingent Expenses incurred by Adolphus Pike in the execution of the Commission of Appraisement and Sale directed to him on the 26th August, 1864.

		£	s.	d.
To Cash paid	Collector of Customs for duties, &c.	139	6	1
,,	Collector of Customs for measuring the vessel	3	0	0
,,	Pilotage	4	0	0
,,	2 surveyors, surveying and reporting on the outfit and equipment .	29	8	0
,,	labourers shifting the entire cargo and ballast to enable the surveyors to examine to the skin of the vessel by order of the Court, conveying and storing the same, and lotting out on days of sales, &c., &c.	191	12	8
,,	carpenter for work done	2	16	0
,,	shipwright stopping leak and repairing boat	1	11	6
,,	interpreter's account	1	13	6
,,	translating ship's papers	12	0	0
,,	cooper attending surveyors and for work done	2	0	0
,,	surgeon's bill	5	5	0
,,	for conveying Spanish prisoners' luggage to prison .. .	0	10	0
,,	Customs' officer, 17 days, at 5*s.*	4	5	0
,,	watchmen	6	5	0
,,	police clerk for Minutes of Evidence .. .	1	1	0
,,	hire of scales	4	0	0
,,	Landing and Checking Clerks	15	0	0
,,	hospital account for medical treatment of a Spanish seaman ..	2	18	4
,,	for loan of empty bags	1	6	0
,,	boat hire for landing the entire cargo of the "*America*" ..	10	0	0
,,	for rent of stores	12	0	0
		449	18	1

Amounting to the sum of four hundred and forty-nine pounds, eighteen shillings, and one penny.

(Signed) A. PIKE, *Marshal.*

Sierra Leone, November 15, 1864,

MARSHAL'S ACCOUNT.

		£	s.	d.
For	proceeding on board the vessel upon her arrival in harbour, ascertaining particulars of capture, and reporting the same to the Registry ..	0	10	0
,,	2 copies of Reports, sent to the Judges, at 5*s.*	0	10	0
,,	serving and returning monition	1	1	0
,,	attending Court, 5 days, at 13*s.* 4*d.*	3	6	8
,,	taking charge of the vessel from 10th June to 17th September (92 days, at 6*s.* per diem	27	12	0
,,	ditto on being beached for breaking up, from 18th September to 31st October (44 days, at 3*s.*)	6	12	0
,,	attendance on surveyors, 7 days, at 10*s.* 6*d.*..	3	13	6
,,	dismantling, unrigging, beaching, and demolishing the vessel, 586 tons, at 3*s.*	87	18	0
,,	apprehending and taking charge of 17 of the Spanish crew of the "America," at 40*s.* each..	34	0	0
,,	cash paid ship-keepers and assistants, as per Voucher No. 1	73	10	0
,,	cash paid 1 ship-keeper, on vessel being beached, from 18th September to 31st October (44 days, at 2*s.*, as per Voucher No. 2)	4	8	0
,,	maintenance of the Spanish crew from the 20th of June to the 25th August, 1864, as per Voucher No. 3 .. £147 13*s.* 6*d.*			
,,	commission of 10 per cent. on the above sum of £147 13*s.* 6*d.*, being the amount advanced upon this account 14 15 4			
		162	8	10
		405	10	0

Amounting to the sum of four hundred and five pounds, ten shillings.

(Signed) A. PIKE, *Marshal.*

Sierra Leone, November 15, 1864.

Inclosure 2 in No. 46.

Receipt.

British and Spanish Mixed Court of Justice, Sierra Leone.

In the case of the Spanish vessel "*America*," whereof Antonio Bisquert was master, seized and taken by Her Britannic Majesty's steam-ship "Ariel," William Cox Chapman, Esq., Commander, for illicit Traffic in Slaves.

Received the 17th day of November, in the year of our Lord 1864, out of the Registry of the said Court, the sum of one thousand and sixty-eight pounds, six shillings, and four pence halfpenny, said to be the proceeds arising from the sale of the said vessel and cargo, for which I have signed three receipts, of the same tenor and date, to serve as one.

(Signed) JAS. A. F. MITCHELL, *Controller*.

Inclosure 3 in No. 46.

Mr. Pike to Mr. Smith.

Sir, *Freetown, Sierra Leone, November* 15, 1864.

I HAVE the honour to request that you will have the goodness to lay before their Honours the Judges of the British and Spanish Mixed Court of Commission the following statements explanatory of the causes which led to the delay in closing and rendering the accounts of the Spanish ship "*America*."

The Commissioners of Survey required the entire cargo and ballast of the "*America*" to be cleared to the skin of the vessel fore and aft. To do this, a considerable quantity of rice stowed in bulk had to be bagged and stored on shore, a tedious process at any time, but rendered more so owing to the precaution requisite to protect the rice from wet during the rains common at that time of the year. The ballast, of which there was said to be about 250 tons on board, was of such a nature as to render it difficult to remove either by hand or with the aid of shovels, being a mixture of sand and stone. Filling the tanks from the shore was another cause of delay.

After adjudication, the same reasons operated in removing the remaining portion of the cargo of the "*America*," and none but those who have had experience know how tedious a work it is to measure out rice by the bushel. The time taken up, as with the strength employed in clearing hawse, appears great; this was occasioned by the chains being fouled by a heavy hawser supposed to have been lost by some other vessel, and which was eventually hauled on board and brought to the windlass, when it parted below water, and about forty fathoms remain at my wharf at date.

As regards the disposal of the large quantity of cloves this vessel had on board, every pound of which had to be weighed before delivery, it was necessary to spread the sales over a considerable period, the rains preventing any large amount being exposed for sale at a time, without the risk of injury from wet.

Delay was again unavoidable, because accidentally occasioned, upon the beaching of the vessel. The "*America*" was beached in Susan's Bay, the customary place for breaking up slave-vessels. I was on board, and as soon as the vessel struck, a hawser was made fast on shore; and the port anchor dropped to keep her in shore, when I left her, considering her securely beached. In the night I was informed by the ship-keeper that the vessel strained, began to fill, and gradually slipped off the beach upon which she had been placed and settled down, her bow in four fathoms, and her stern in six feet water; the existence of this pit or basin was unknown to me, but into this pit the "*America*" settled. It then became my duty to break her up in the best way I could, and having consulted wih Commander Chapman of Her Majesty's ship "Ariel," it was considered best to remove such portions of the vessel as remained above water, and then blow up the remaining portions of the hull. This was done, and the materials realized at auction reasonable prices.

By the accidental slipping off the beach of the "*America*" upon the night of her being beached, tools were lost to me of the value of 15*l*., having placed on board a large number of shovels, pickaxes, crowbars, and maul hammers, for the next day's use; this, coupled with the cost of labour and gunpowder since the 17th September necessary for blowing up the vessel, has greatly increased the expenses beyond those for cutting the vessel into four separate parts.

I have, &c.

(Signed) A. PIKE, *Marshal, Mixed Commission Courts.*

HAVANA.

No. 47.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 12, 1864.)

(No. 9.)

My Lord, *Havana, December* 12, 1863.

WITH reference to the despatch which I did myself the honour of addressing to your Lordship No. 8 of the 16th ultimo, I have to acquaint your Lordship that the negroes who were captured at Colon and brought to this place are being parcelled out as emancipados. I have ascertained that they were landed from a steamer under Spanish colours, called the "*Ciceron*," which was dispatched from Cadiz, cleared, it is said, for Matamoros, which steamer, after having landed the slaves, proceeded to Isla de Mugeres, coast of Yucatan, and was seen coaling from a vessel which had been sent there to await her arrival.

As soon as I received this information from Mr. Pedro de Regil y Peon, the British Vice-Consul at Merida, I communicated it to his Excellency the Captain-General, and I have reason to believe that a Spanish man-of-war steamer was sent to the Isla de Mugeres on the day following, but I have not learnt the result.

It appears that four steamers were fitted out and sailed from Cadiz; one of which was the "*Ciceron*," of whose cargo 1,105 were captured at Colon; another has landed a large number of negroes, also at or near the Ensenada de Cochinos, and the Captain-General tells me that these are in the marsh to the northward of the place of their landing, and he hopes to capture them, having intercepted the correspondence respecting them; a third, his Excellency says, was captured by a British cruizer; and the fourth is expected to attempt a landing at Sagua el Chico, district of Remedios.

This proves that slave-trading is intended in future to be carried on by the use of steam-transports, and, consequently, that only wealthy parties can engage in it to any extent, unless the expeditions are got up in shares; but there is little doubt the four steamers which sailed from Cadiz belong to four persons* who are well known here as veterans in the abominable Traffic, although they have hitherto been able to screen themselves and elude detection.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No 48.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 29, 1864.)

(No. 11.)

My Lord, *Havana, December* 31, 1863.

I HAVE the honour of reporting to your Lordship that no emancipated negroes have been sent from this to Jamaica during the year ending this day.

I have, &c.

(Signed) JOS. T. CRAWFORD.

* One half, Don Julian Zulueta, Havana; one-fourth, José Carreras, Havana; one-eighth, José Barro, Havana; one-eighth, José Rousel, Cardenas.

No. 49.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 29, 1864.)

(No. 1.)

My Lord, *Havana, January 1, 1864.*

IN obedience to the Act 5 Geo. IV, cap. 193, directing such Returns to be made on the 1st of January and 1st of July in each year, I have the honour of reporting to your Lordship that there was no case brought for adjudication before the Mixed Court of Justice at this place during the last six months.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 50.

Her Majesty's Commissary Judge to Earl Russell.—(Received March 1.)

(No. 3.)

My Lord, *Havana, January 23, 1864.*

I HAVE the honour of acknowledging the receipt of your Lordship's despatch No. 5, Confidential, dated the 31st December last, and respective inclosures, in which, with reference to my despatches Nos. 7 and 8 of the 6th and 16th of November, your Lordship informs me that Her Majesty's Government rejoices to recognize in the vigorous proceedings of General Dulce a proof of his Excellency's desire to suppress the Cuban Slave Trade, and for that I should be enabled to inform, confidentially, the Captain-General of the steps taken by Her Majesty's Government to support his proceedings.

Your Lordship has been pleased to transmit to me the copies of correspondence which has passed within the last few months between you and Her Majesty's Representative at the Spanish capital, which I shall take an early opportunity of doing, having already intimated my intention to his Excellency in a conversation I had with him at the palace this morning.

I notice that inquiry is being made as to the outfitting of the steamers from which the two cargoes of slaves are said to have been landed, which it is reported were purchased at Liverpool, and I shall not fail to inform your Lordship if any attempts are made to procure the restoration to the slave-dealers of the negroes recently captured.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 51.

Her Majesty's Commissary Judge to Earl Russell.—(Received March 14.)

(No. 4.)

My Lord, *Havana, February 19, 1864.*

I BEG leave to refer your Lordship to a paragraph in my despatch No. 8 of the 16th November last, which reported the capture of 1,105 Bozal negroes by the officers of the district of Colon, wherein, adverting to the operation of the 9th Article of the Penal Law, I observed "that it would not surprise me, if after some time has gone by, and especially if his Excellency (General Dulce) were to be removed, if under a Captain-General less scrupulous, the Royal Audiencia, upon application of some claimant, should decree the restitution of these captured slaves."

I must confess, however, that I hardly expected what I then put forth as possible would already have occurred.

But it appears that the parties speculating upon the change of Ministry in Spain, reckon upon General Dulce's removal, and they have actually preferred their claim before the Royal Audiencia under the 9th Article of the Penal Law for restitution of the negroes captured by the authorities of Colon, against whom they claim punishment by fine, destitution, and ineligibility to hold any office under the Government in future.

It is said that the claimants are prepared to spend a large amount of money to substantiate their claim, and that they have obtained any quantity of cedulas and

passes for these Bozals, to show that they were only being removed from one part of the island to another.

In the meantime I have received undoubted information that amongst the unfortunates of that expedition there were twelve negroes speaking English perfectly well, one of whom, said to have been educated and very intelligent, died at the hospital here, and the remaining eleven are described to me as being those known as kroomen at the Coast of Africa.

I lost no time after I received the above information in claiming these English negroes, and I have the honour of laying before your Lordship the inclosed copy of a correspondence which I have had with the Captain-General on that subject.

I am most anxious that these victims should be given up to me, but I am also most anxious that their declarations (which I have asked for) should be taken in the presence of the Vice-Consul as to the manner in which they became captives, and the circumstances of their introduction into this island, but I beiieve that everything will be done to thwart me in both these important objects; as their delivery to me, and the truths which would be elicited by their declarations, would most probably lead to disclosures important to humanity, and consequently very undesirable for those concerned in the expedition.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 51.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, February 15, 1864.

IT has come to my knowledge that among the negroes lately captured by the authorities of Colon, there were twelve free Englishmen, of those who are known as kroomen on the Coast of Africa, and that of these one has died in the hospital, eleven remaining, who being considered as British subjects I respectfully claim, and I hope they will be placed at my disposition, as it may be conducive to the ends of justice in ascertaining the circumstances of these men's captivity and introduction into this island.

I request your Excellency will be pleased to order their respective declarations, and permit that the British Vice-Consul shall be present at that act of public justice.

God preserve, &c. (Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 51.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, February 16, 1864.

WITH reference to my letter of yesterday's date (official), claiming eleven English negroes who are amongst those captured of the expedition of Colon, I have now the satisfaction of add'ng to their official applicatien the numbers of said negroes, viz., 3,989, 3,982, 3,826, 3,981, 3,990, and I hope, consecutively, to have the pleasure of giving your Excellency the numbers of the other six, for their identification and restoration to freedom.

God preserve, &c. (Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 51.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.) *Havana, February* 16, 1864.

HIS Excellency the Captain-General has received your Honour's letter of yesterday, and has charged me to say to you that he is entirely ignorant upon the subject you refer to, relative to their being twelve free English individuals among the negroes lately captured by the authorities of Colon, who are known as kroomen at the coast of Africa.

He has, therefore, sent your letter to the Magistrate of the Royal Audiencia, Don Ramon Navarro, who, commissioned by said Court, has the charge of that matter, and his answer will be sent to you as soon as it has been received.

God preserve, &c. (Signed) JOSE VALLS Y PUIG.

Inclosure 4 in No. 51.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.) *Havana, February* 19, 1864.

IN consequence of your Honour's letter of the 15th instant, which by order of the Captain-General I passed to the Auditor Don Ramon Navarro, Judge in the cause of the capture made in the jurisdiction of Colon, of the expedition of negroes landed near Cienfuegos, his Excellency orders me to transmit to your Honour, as I do, the official answer which has been addresed to him by said Auditor :—

"Most Excellent Sir,

"As I have had the honour to acquaint your Excellency in a late communication, I have sent the cause pending before me, relative to the introduction of Bozal negroes at Cienfuegos and Colon, to the second sala of the Royal Audiencia; for that reason I have not now in my possession the official data by which officially to reply to your Excellency, as to whether in the captured expedition there were twelve men of those called kroomen, whom Her Britannic Majesty's Consul considers English subjects, and whose delivery he claims.

"Notwithstanding, I can assure your Excellency by the recollection I have of the proceedings, that amongst the Bozals remaining at the depôt on my return from Colon I only found one who spoke English, but who also speaks Spanish and more than twenty dialects of his own country, but who up to this time does not appear to be a subject of the English nation, nor is there the slightest data on which to found such assertions.

"I have also been informed by the Administrator of the depôt that there died in the hospital one of the captured negroes who spoke and wrote English perfectly, which information, in so far, is in conformity with what is indicated by the Consul respecting that individual. As to the rest, and in conformity with the desires expressed by him to your Excellency, I have passed your Excellency's communication to the Court where all the antecedents are, in order that they may decide according to justice."

This is what I have to say to your Honour in answer to your official letter of the 15th.

God preserve, &c. (Signed) JOSE VALLS Y PUIG.

No. 52.

Earl Russell to Her Majesty's Commissary Judge.

(No. 1.)

Sir, *Foreign Office, April* 1, 1864.

I HAVE received your despatch No. 4 of the 19th of February last, reporting that the parties interested in the cargo of slaves introduced into Cuba in the month of November last by the steamer "*Ciceron*," and which were seized by the Captain-General, have preferred a claim before the Court of Royal Audiencia for the restitution of the negroes.

You state also that, in consequence of having received information that, among the negroes in question, there were twelve of them who spoke English well, you lost no time in claiming them; and you inclose copies of a correspondence which has passed between you and the Captain-General on this subject.

I have to acquaint you that I approve your conduct in this matter, and I have to desire that you will spare no endeavours to ascertain whether these unfortunate people are really entitled to British protection; and should the result of your inquiries lead you to believe that this is the case, you will inform the Captain-General that you are instructed to request that they may be given up to you; or if he has no power to do this of his own authority, that the negroes in question may be placed apart to await the result of communications which will be addressed by Her Majesty's Government to the Government at Madrid on this subject.

I am, &c.

(Signed) RUSSELL.

No. 53.

Her Majesty's Commissary Judge to Earl Russell.—(Received April 28.)

(No. 6.)

My Lord, *Havana, April* 2, 1864.

WITH reference to my despatch No. 4 of the 19th February, laying before your Lordship a correspondence which I have had with his Excellency the Captain-General respecting certain of the negroes who were captured in the expedition at Colon in November last, who are reported to me to speak the English language fluently, as well as otherwise inducing the belief that they are of those known as kroomen of the British settlements in Africa, I claimed to have these men examined with a view to ascertain their circumstances, and how they had been abducted from Africa and introduced into this island to be sold into slavery.

It appears that recently the Captain-General's position as respects the Royal

Audiencia has been altered, and that he no longer presides that judicial assembly, which, according to the Penal Law of Spain (1845) has cognizance of all matters connected with the Slave Trade; and so the Captain-General considered it necessary to pass my correspondence to his Excellency the Regent of the Supreme Court instead of ordering the eleven negroes indicated and described by me to be separated from the rest who were captured at the same time, in order to their being interrogated and examined in the manner I requested.

It will be unnecessary to point out to your Lordship what would, in all probability, have been the result of acceding to that request: if nothing else came of it, the truth would have been elicited as to the voyage of slaver and the criminal disembarkation of the negroes of that expedition; and your Lordship will see that the Royal Audiencia objects to their declarations being taken in my presence, or that of the Vice-Consul, or of any person from this office.

I am therefore very apprehensive that, notwithstanding the Captain-General's expectation expressed upon this subject, that the captured negroes of the Colon expedition will be declared emancipados by the Royal Audiencia, they will be restored to the owners of that expedition, and be reduced to slavery.

I know not whether, in the position which I have assumed in this correspondence, that "the Royal Audiencia has no jurisdiction in dealing with the freedom of British subjects," circumstanced "as these negroes are reported to me to be," I am right, or whether the Fiscal of the Supreme Court's report to the Regent, which the Tribunal has accepted, is the proper legal opinion as to this matter. But it appears to me that, had there been any intention of eliciting the truth, the claim put in by me to have the men I designated separated from the rest of the expedition, and that their declarations should be taken before a magistrate appointed for the purpose, assisted by competent interpreters, in my presence, or in that of the British Vice-Consul, was unobjectionable; but I much fear it will not be conceded, or that if it is, some other means will be devised to defeat the objects I had in view, which were, first, to have established the men's right to their freedom, and then, by proof of the illegal introduction of the whole expedition, to have had the rest declared emancipados.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 53.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.) *Havana, March* 1, 1864.

HIS Excellency the Governor Captain-General has ordered me to transmit to you, as I now do, the inclosed official letter, which has been addressed to him by Don Ramon Navarro, a Magistrate of the Royal Audiencia, to whom the descriptions of the negroes whose numbers you gave were passed:—

"Most Excellent Sir,

"Your Excellency's communication of yesterday is received, with reference to the claim of Her Britannic Majesty's Consul to certain negroes who belong to the cause I am drawing up. I have reported the case to the Second Court of Justice of the Real Audiencia, wherein the first proceedings have taken place, which I have the honour of stating to your Excellency in answer."

God preserve, &c. (Signed) JOSE VALLS Y PUIG.

Inclosure 2 in No. 53.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

IN consequence of your Honour's letter of the 15th instant, which, by order of the Captain-General, I passed to the Oidor Don Ramon Navarro, Judge in the cause of the capture made in the jurisdiction of Colon, of the expedition of negroes landed near Cienfuegos, his Excellency orders me to transmit to your Honour, as I do, the official answer which has been addressed to him by the said Oidor:—

"Most Excellent Sir,

"As I have had the honour to acquaint your Excellency in a late communication, I have sent the cause pending before me relative to the introduction of Bozals (negroes) at Cienfuegos and Colon, to the second Sala of the Royal Audiencia. For that reason I have not now in my possession the official data by which officially I can reply to your Excellency as to whether in the captured expedition there were twelve men of those called Kroomen, whom Her Britannic Majesty's Consul considers English subjects, and whose delivery he claims.

"Notwithstanding I can assure your Excellency, by the recollection I have of the proceedings, that amongst the Bozals remaining in the depôt, on my return from Colon, I found one only who spoke English, but who also

spoke Spanish, and more than twenty dialects of his own country, but who, up to this present time, does not appear to be a subject of the English nation, nor the slightest data on which to found this assertion.

"I have also been informed by the Administrator of the Depôt that there died in the hospital one of the captured negroes, who spoke and wrote English perfectly, which information, in so far, is in conformity with what is indicated by the Consul respecting that individual.

"As to the rest, and in conformity with the desire expressed by him to your Excellency, I have passed your Excellency's communication to the Court where all the antecedents are, in order that they may decide according to justice."

This is what I have to say to your Honour in answer to your official letter of the 15th.

God preserve, &c. (Signed) JOSE VALLS Y PUIG.

Inclosure 3 in No. 53.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, February 22, 1864.

I HAVE had the honour of receiving the Government Secretary's letter of the 19th instant, communicating to me, by your Excellency's direction, the answer given by the Magistrate of the Royal Audiencia, Don Ramon Navarro, to my letter of the 15th, addressed to your Excellency, claiming as British, and consequently as freemen, 11 of the negroes of those captured at Colon.

The Magistrate, Don Ramon Navarro, it appears by his letter, had, previous to his answering your Excellency, transmitted the cause to the Second Sala of the Royal Audiencia, and states, that from the recollection he has of the proceedings, that at the depôt, on his return from Colon, there was only one of the negroes who spoke English, but that he also spoke Spanish, and twenty or more of the dialects of his own country.

The description thus given by the Magistrate is precisely that of a Krooman of the coast of Africa, and I have to request that your Excellency will give orders for that negro to be interrogated, and his declaration taken, permitting the British Vice-Consul to be present, and to put such questions to said negro as may be necessary to elicit the truth, as regards his captivity, abduction from Africa, and introduction into this island; and I request also that the others of these captured negroes, whose numbers I transmitted to your Excellency in my letter of the 16th, may also be examined, and their declarations taken in the same manner, the British Vice-Consul being present at that act of justice.

As soon as I can with certainty indicate the numbers of the other six who speak English, who are among the captured of that expedition, I shall transmit them to your Excellency, requesting that their declarations may be taken in the same manner.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 53.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, March 5, 1864.

I HAVE the honour of acknowledging the receipt of the Government Secretary's letter of the 22nd ultimo, acquainting me that the Oidor Don Ramon Navarro, to whom your Excellency was pleased to transmit my letter of the 22nd idem, and my previous communications respecting five of the negroes whose numbers I furnished in my letter of the 16th ultimo, and six more, all belonging to the captured expedition of Colon, had been by the said Magistrate sent to the Second Sala of the Royal Audiencia, where the question of the capture of that expedition is pending.

The negroes known by the Nos. 3989, 3982, 3826, 3981, and 3990, as well as six others, and one who died at the hospital, were brought from the coast of Africa, on board the steam-vessel "Ciceron," and were landed from her on this island. Of these the eleven surviving I have claimed to be delivered up to me as English kroomen, who have been kidnapped and abducted from the coast of Africa.

I have requested your Excellency's authority to produce these men, who are free, and cannot be dealt with as slaves.

Your Excellency, instead of acceding to my reasonable request, has passed this important matter to the Royal Audiencia. That august tribunal, as relates to the freedom of British subjects, your Excellency must be aware, can have no jurisdiction, and, in the execution of my duties for the protection of the eleven negroes who have been illegally taken from their homes in Africa, and who, I am satisfied, are entitled to British protection, I must insist that they be produced without further delay, and that I shall be allowed to examine them, and take their declarations in order to elicit the truth with regard to them, their abduction from Africa, and their introduction into this island, with the guilty intention of placing them in slavery.

Much time has already been lost in bringing forward these unfortunate persons for examination, and I hope that your Excellency will be pleased to dispose that no further delay shall take place.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 5 in No. 53.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.) *Havana, March* 12, 1864.

IN consequence of your Honour's letter of the 5th, which his Excelleucy the Captain-General passed to the illustrious Regent of the Royal Audiencia, his Excellency has ordered me to transmit to you the inclosed copy of

the certificate presented by the Fiscal of Her Majesty, and approved by the Second Royal Court of Justice with regard to said letter of your Honour, relating to the claim for some negroes, in the cause which is being drawn up by the Oidor Don Ramon Navarro, respecting a landing of Bozals in the jurisdiction of Cienfuegos.

By the contents of that document your Honour will please to observe, as his Excellency desires me to say to you, that the decision you ask for is not within his authority, but specially belongs to the Supreme Court of Justice, according to the penal law on the matter; consequently the decision of the affair depends on that tribunal.

You will therefore understand that he cannot comply with your wish, as the case is not within the sphere of his attribution.

God preserve, &c. (Signed) JOSE VALLS Y PUIG.

Inclosure 6 in No. 53.

Certificate.

(Translation.)

DON JOSE SOROA, Notary of the Court of the Royal Audiencia.

I certify that, in consequence of a communication from his Excellency the Superior Governor Civil relative to the cause which the Oidor Don Ramon Navarro is commissioned to prepare the process as to the landing of Bozals near Cienfugos, the Second Royal Court has been pleased to decree in conformity with what has been represented by the Fiscal, as follows:—

"Reply to his Excellency the Governor by the Regent, with Copy of the previous Decision, signed 'Busto, Villaescusa, Suplente Reyes Gavilad, José Soroa.'

"Most Excellent Sir, *"Havana, March* 7, 1864.

"Her Majesty's Fiscal says that he has informed himself as to the official communications addressed by Her Britannic Majesty's Consul in this place to the Captain-General, dated 15th and 22nd February last, and which, having been transmitted to the Oidor in commission, Don Ramon Navarro, on the 16th and 25th of the same, have been by him presented to the Second Court for a convenient resolution and says, that the Consul claims eleven of the negroes captured by the Lieutenant-Governor of Colon on the 11th of November last, in the belief that they are British subjects, and asks two things; 1st, that they be placed at his disposition; and, 2nd, to ascertain the circumstances of their captivity and introduction into this Island, and permit that the British Vice-Consul should be present when taking their declarations. The negroes claimed, says the Consul, are of those known on the coast of Africa as Kroomen, and, in his late communication, designates five of them, and expresses how they were called in Africa, and gives the numbers and names which they have at the depôt. Consequently the identification of six of those claimed is wanting, and it must be shown that they are British subjects, as their speaking English is not a conclusive evidence of their being so. When these requisites are filled up, the Fiscal will consider the Consul's petition for their delivery. As respects the permitting the intervention of a functionary from the delegation when taking their declarations, the Judge cannot do less than oppose it, as he does object to it at once; because the state of the summary in the cause by no means admits of it, being in the very vitality of the proceedings. In this sense your Excellency may order the Representative of Her Britannic Majesty to be answered by his Excellency the Governor Captain-General, or decree whatever else may be in accordance with justice."

And in compliance with my orders I send this present.

Havana, March 8, 1864.

(Signed) JOSE SOROA.

Inclosure 7 in No. 53.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, March 12, 1864.

I HAVE the honour of acknowledging to your Excellency the receipt of the Secretary's letter of this date, in which I am informed, by your Excellency's direction, that my communication of the 5th instant had been referred to his Excellency the Regent of the Royal Audiencia, and transmitting to me a copy of the Resolution of the 2nd Sala of that tribunal upon my previous letters of the 15th and 22nd February, respecting certain of the negroes who were among those apprehended by the Lieutenant-Governor of Colon.

The Royal Audiencia by that Resolution has refused my intervention on behalf of the eleven persons who are comprised in that expedition, and who, according to the information I have received, are entitled to British protection. Had the Royal Audiencia acceded to my request that the declarations of those eleven negroes should have been taken by a Judge in my presence, or in the presence of the British Vice-Consul, the fact would have been ascertained with respect to them, and the circumstances of their abduction from Africa, and their illegal introduction to this Island. But your Excellency will permit me to state that it is your Excellency, in your high capacity of "Juez de los Estrangeros," to whom I have a right to apply for the production and examination of these negroes.

They, as freemen, cannot come under the operation of the Penal Law of Spain, and consequently, are not under the jurisdiction of the Supreme Court, nor of any other, but are entitled to the protection of that which is presided by your Excellency. In the official communication which I did myself the honour of addressing to your Excellency on the 5th instant, I stated to your Excellency that the Royal Audiencia, as relates to the freedom of British subjects, can have no jurisdiction. To that tribunal your Excellency has referred the urgent communications which, in the execution of my duties, I have addressed to your Excellency on this subject, and I am obliged to protest most respectfully but firmly against that jurisdiction. Already many months have elapsed since the unfortunate victims of the slave-trader's cupidity, on whose behalf I am claiming, are suffering in captivity, and I hope that your Excellency will at once give orders for their production.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 8 in No. 53.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.) *Havana, March* 15, 1864.

INCLOSED I have the honour of transmitting to your Honour a copy of the certificate of what has been presented by the Fiscal Minister, and approved by the Second Royal Court of Justice of the Royal Audiencia, in the cause formed upon the apprehension of Bozal negroes by the authorities of Colon, in consequence of your Honour's claim of some of said negroes, which I do by order of his Excellency the Superior Civil Governor for your knowledge and advisement.

God preserve, &c. (Signed) JOSE VALLS Y PUIG.

Inclosure 9 in No. 53.

(Translation.) *Regency of the Royal Audiencia de la Havana,*
Most Excellent Sir, *Havana, March* 12, 1864.

I HAVE the honour of placing in your Excellency's hands a certificate of what has been represented by the Fiscal Minister, and approved by the Second Royal Court of Justice, in the cause formed upon the seizure of an expedition of Bozals by the authorities of Colon, as directed by the said Royal Sala.

God preserve, &c. (Signed) EDUARDO ALONZO COLMENARES.

"Most Excellent Governor,

"Don José Soroa, Notary of the Royal Audiencia, certify—

"That in the cause going on as to the seizure of an expedition of Bozals by the authorities of Colon, it has been represented by the Fiscal, and approved by the Second Royal Sala of Justice, as follows:—

"'Most Excellent Sir,

"'Her Majesty's Fiscal says: That he has informed himself of the new communication which Her British Majesty's Consul addressed on the 5th instant to his Excellency the Captain-General of this island, and which was passed yesterday afternoon to this office by a Disposition of the 9th. Therein the Consul insists upon the delivery to him of the 11 negroes claimed in his former official letters; and as regards his pretension to intervene in the declarations which are to be taken from them in the trials, which likewise now appears to be modified to that his Honour should be allowed to examine them, for the purpose of eliciting the truth from them as to their violent abduction from the coast of Africa and their introduction into this island, with the criminal intention of reducing them to slavery. Considering the terms in which the communication is conceived, it is of much importance to the Court, and it is above all the duty of the Fiscal, to place the question in its true point of view; because the Consul withdrawing it from its proper sphere, complains that his Excellency the Captain-General has not at once decided as solicited from the beginning, and has submitted it to the decision of your Excellency. On this proposition the Consul says, "that as respects the freedom of British subjects, your Excellency has no jurisdiction;" and against such a manifestation the Fiscal cannot do less than to raise his voice in defence of your Excellency's jurisdiction, making the most energetic and efficacious protest, if thereby, as it seems, he would signify that the Court is not competent to take cognizance of the matter. Your Excellency is the only authority to whom it corresponds to decide upon the claim of the Consul, and the Undersigned confides in that his Honour will in the end acknowledge that this is the case, and will wait patiently for the resolution which your Excellency will come to in your never-mistaken justice, which never injures, bearing in mind the rights and privileges of English subjects, as you have always done, and as it is desired by the august Sovereign whom this tribunal represents. We are dealing with an expedition of negroes who are considered as Bozals, who have just been landed on Spanish territory, and not of a capture at sea, which act presupposes a crime which it belongs to the Spanish Courts to punish, and the only and exclusive Judge in the First and Second Instance is the Tribunal of your Excellency, who delegates to one of its worthy Magistrates the power necessary to draw up the summary, and the functionaries of civil order who carry out the measures in such cases are considered as auxiliaries thereof. As a natural and inseparable consequence of this principle, the civil authorities who make seizures of negroes pass their proceedings of the moment to the Oidor, who is commissioned by the Sala, as soon as he presents himself, or in his defect to the Magistrate of the district where the seizure has been made, and the negroes captured are, as a right, at the disposition of the Sala, or its delegates (even although formal delivery has not taken place), from the instant that that has been carried into effect. The reason of this is very obvious. The corresponding procedure is like to all others in criminal cases. The practice established in Spain with regard to the mode of proceeding, founded on principles of criminal law, prescribes that the Judge put into safe custody all persons indicated as delinquents, and who in technical terms are called *corpus delicti*. The *corpus delicti*, in the case in question, are the unfortunate Africans, who by the "Traffic" were intended to be reduced into slavery; and it is not beyond possibility that when a seizure takes place there may be amongst them men of the same colour who are not Bozals, but may belong to the class of persons responsible for the crime of which the rest are the victims. Let it not be thought, however, that in expressing himself thus the Fiscal wishes to signify that amongst the negroes captured in the jurisdiction of Cienfuegos in the middle of November last, there are those who under the name of kroomen and claimed by the English Consul, are such criminals. Let us not establish a possible case, and nothing prejudge. That is a point to which the judicial investigation is to be directed, and as to which, in the case of its not being already begun, the Ministry reserves to itself to ask what may be conducive. But in the meantime he does not hesitate to affirm that the detention of such men, if they exist, was proper, and that for the reasons expressed to your Excellency they ought to make their claims to any other authority or private person who considers he has the right, but that to your Excellency exclusively it belongs to decide. The solicitude of the Consul, independent of this, can never be agreed to without any proof in support of his grounds of claim. He in no way adduces proofs of identity or nationality of these men, and the Tribunal will decide upon the merits of the case. For the rest, the Fiscal does not object that these men may be examined by the Consul, or by any member of the British Legation, by going for that purpose to the depôt where they ought to be; because bearing in mind the principle that the destination given to captured negroes from out the depôt is with the object of instructing and civilizing them, coming as they do in a savage state, that measure ought not to take place with those who manifestly are not so, as ought to be the case with those called kroomen; and if the contrary has happened, the Court has not authorized it, nor knows of it, and may decline all responsibility.

"'Finally, the Fiscal does not lament less than the British Consul the fate of the unhappy people who by one or other means are the victims of the immoral Traffic. Amongst them are to be counted those claimed by his Honour, if they have been torn from the coast of Africa, notwithstanding that their personal circuumstances render it impossible for them to be suitable for the objects of the Traffic. This, and the circumstance of their having been landed with Bozals, cannot fail to have prejudiced them. But the Tribunal will do them justice, and will never declare them to be slaves if, in effect, they are British subjects, nor would they if they were of any other nation and had not previously been in a state of slavery. Neither will they as respects Bozals, whose liberty is proclaimed under the title of emancipados. But if they turn out to be guilty they will be punished; if there are no indications that they are so, they will be put at liberty immediately, but this has to be after due process of law; and if the sentence is deferred, it is owing to the inevitable circumstance of the process having to be drawn up away from the seat of the Tribunal, and because there may be proceedings to be gone through which would influence the sentence which is to be pronounced.

"'In the sense expressed, your Excellency may agree to answer the last communication of the Consul, or in such other manner as may be considered more convenient.

"'*Havana, March* 11, 1864.

(Signed) "'ALCALDE.'

"In conformity with the Fiscal, and by certified copy reply to his Excellency the Captain-General by the corresponding medium.

"*Havana, March* 12, 1864.

"Three signatures.

(Signed) "BUSTO.
"VILLAESCUSA.
"JOSE SOROA.

"To the Illustrious Regent.

"And in compliance with what is ordered I issue the present.

"*Havana, March* 12, 1864.

(Signed) "JOSE SOROA."

Inclosure 10 in No. 53.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, March 16, 1864.

I HAVE the honour of acknowledging to your Excellency the receipt of the Secretary's letter of yesterday's date, transmitting to me a copy of the Fiscal's Report to the Royal Audiencia upon my letter to your Excellency of the 5th instant, respecting eleven of the negroes who are comprised in the cause which is pending in the Second Court of that august Tribunal, to determine as to the capture of a great number of Bozals which took place in November last.

The Fiscal has taken great pains, and has argued at some length, to prove what I have no wish or intention of denying: "That the only competent tribunal for questions arising out of the illegal and criminal introduction of slaves into Cuba, contrary to the provisions of the existing Treaty for suppression of the Traffic, is the Royal Audiencia, which is presided by his Excellency the Regent."

That matter is clearly stated in the Penal Law of Spain, which was published here on the 22nd of April, 1845.

But when amongst the captured negroes, as is the case in the present instance of the expedition of Colon, there are some who, I have good reason to believe, are freemen, that have been abducted from their homes in British Africa, and have been brought here to Cuba to be sold into slavery, I must request your Excellency to have those men separated from the rest, who are subject to the Royal Audiencia, and that you will of your high authority, as Judge of "Estrangeros," appoint a Magistrate to take their declarations, with a view to elicit the truth, as to their condition and the reason of their being amongst the others of the Colon expedition, their abduction from Africa, and their introduction into this island.

Five of these men, on whose behalf I find it my duty to appeal to your Excellency, are identified by the numbers which I have sent, and one besides, whom the Oidor Don Ramon Navarro states he saw at the depôt, and who spoke the English and Spanish languages. I wish to have examined by the judicial authority I have requested your Excellency to appoint for that purpose, who should be provided with competent interpreters of the English and Congo languages: and with your Excellency's permission I shall be present, or will delegate some officer of this Consulate to assist the Judge in eliciting the truth of this matter, which proceeding will have all legality of form; whereas, were I to accept the proposal of the Fiscal to take the declaration of the negroes myself at the depôt (for which purpose access would be allowed me), I need hardly observe to your Excellency that such proceeding would be useless and informal.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 54.

Her Majesty's Commissary Judge to Earl Russell.—(*Received May* 28.)

(No. 7.)

My Lord, *Havana, April* 28, 1864.

I HAVE the honour of acknowledging to your Lordship the receipt of Mr. Layard's despatch No. 1, dated the 1st instant, which has reference to my No. 4 of the 19th February, upon the subject of the Bozals introduced into this island in November last, brought by the steamer "*Ciceron*," amongst whom were twelve who

spoke English, and who, according to the information I had received, appeared to be of those known as kroomen at the coast of Africa, and as such entitled to British protection.

I now beg leave to state that your Lordship will have seen, by the correspondence which I did myself the honour of transmitting with my despatch No. 6 of the 2nd instant, that I have not allowed the matter to rest; and I have again addressed his Excellency the Captain-General in the terms of the instruction which I have just received from your Lordship with regard to these men, respecting whom, since the 2nd instant, I have not received any communication from General Dulce, nor have I been able to learn that any sentence has been pronounced in the cause by the Royal Audiencia, but I do know that his Excellency the Captain-General is very anxious that the capture may be confirmed, and that he is exceedingly annoyed at the delay which has taken place in the trial.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 55.

Her Majesty's Commissary Judge to Earl Russell.—(*Received May* 28.)

(No. 8.)

My Lord, *Havana, April* 29, 1864.

WITH reference to my despatch of yesterday's date, No. 7, in which I did myself the honour of acknowledging the receipt of Mr. Layard's No. 1, dated the 1st instant, I have now the honour of laying before your Lordship a copy of the further correspondence I have had with the Captain-General relative to the negroe of the Colon expedition who speak the English language, and who have been reported to me to be kroomen entitled to British protection. Your Lordship will perceive that General Dulce having, as he states, reported the matter to his Government, and the Royal Audiencia considering all these men as belonging to the cause pending in that Tribunal; his Excellency cannot accede to either proposal that has been made to him by your Lordship's direction.

Colonel Arguelles, who was the Lieutenant-Governor of the district of Colon, and who captured that expedition, has absconded to the United States, accused of of having (between the time of the capture and delivery of these Bozals) sold upwards of 100 of their number; and I have heard that his declaration is wanting on the proceedings before the Tribunal, which may seriously affect the result of the trial.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 55.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, April 27, 1864.

HAVING laid before Her Majesty's Government the correspondence which I have had with your Excellency relative to certain of the negroes of the captured expedition of Bozals, known as that of Colon, who speak English and are supposed to be kroomen. Earl Russell, Her Majesty's Principal Secretary of State for Foreign Affairs, has been pleased to approve of my having claimed said negroes, and to instruct me that, should they be found to be entitled to British protection, I am to request that they may be given up to me; or, in the event that your Excellency has no power to do this, that the negroes in question may be placed apart, to wait the result of communications which will be addressed by Her Majesty's Government to the Government at Madrid on this subject. In obedience to that instruction, I request that said negroes may be separated and kept apart from the Bozals, rest of the expedition, unless your Excellency determines at once to order them to be delivered to me.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 55.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation) *Havana, April* 28, 1864.

BY order of his Excellency the Captain-General I have the honour of acknowledging the receipt of your communication of yesterday's date, acquainting his Excellency that you had transmitted the correspondence relative to the negroes you claim of the Bozals detained at Colon.

That your Government having approved of said claim, and instructing your Honour that if they are found to be entitled to British protection, they should be delivered; and, in case that his Excellency has not the power necessary for that purpose, these negroes should be placed apart to await the result of the communications which your Government will address to ours, unless his Excellency resolves to deliver them at once.

In answer, his Excellency desires me to say to you, as I have the pleasure of doing, he has already stated that, as these negroes are subject to the cause which, with regard to the capture of the expedition referred to, of which they are a part, is being carried on in the Royal Audiencia; for which his Excellency has submitted the matter to Her Catholic Majesty's Government, transmitting copies of the correspondence which has passed between that supreme Tribunal and your Honour through the medium of your Excellency, which decision he hopes soon to receive. For that reason it is to be understood that he cannot, on this occasion, accede to the wishes expressed by your Honour.

God preserve, &c. (Signed) JOSE VALLS Y PING.

No. 56.

Her Majesty's Commissary Judge to Earl Russell.—(*Received May* 28.)

(No. 9.)

My Lord, *Havana, April* 29, 1864.

I HAVE the honour of acknowledging the receipt of Mr. Murray's despatch No. 2, dated the 31st ultimo, instructing me in reference to my Nos. 2 and 3 of the 12th and 16th of February, that it may be of importance to know the exact locality of the capture made on the 6th of February by Her Catholic Majesty's steamer "Neptuno," which was reported in said despatches.

I have now the satisfaction of transmitting to your Lordship a copy of a letter which I addressed to the Captain-General on this subject, and of his Excellency's answer, by which it appears that the capture was made in latitude 22° 25′ north, and longitude 72° 18′ 30″ west from Cadiz. That the slaver showed French colours, and the master gave as the name of the brigantine the "*Pondichery*," but that on taking possession they said they had no papers or colours, and would tell nothing about the place they came from.

I learn, however, from other sources, that the brigantine had the appearance of a vessel built on the Mediteranean Coast of Spain; that she seemed to have fitted out at a French port in that sea, and that the Bozals were Congos. For the rest, I believe that all vessels captured by the Spanish cruizers without papers are to be reported as being commanded and manned by Portuguese.

For a long while none of the vessels captured with slaves on board have had any national papers or colours. Then what objection can there be on the part of Spain or of any other nation, that the persons taken on board such vessel should be dealt with and punished as pirates, whatever their nationality may be?

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 56.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Havana, April 26, 1864.

HER Majesty's Government, to whom I transmitted your Excellency's communication of the 14th of February, respecting the capture by Her Catholic Majesty's steamer "Neptuno," of a vessel with 659 Bozals on board, have received that intelligence with great satisfaction, as a new proof of the efforts of your Excellency to put an end to the detestable Traffic in Slaves; and I am directed by Her Majesty's Principal Secretary of State for Foreign Affairs to ascertain and report to Her Majesty's Government the exact latitude and longitude in which the capture of the slaver above referred to was effected by Her Catholic Majesty's steamer "Neptuno," and also whether there is any reason for supposing that said slaver may have been French, or that she had been fitted out and was sailing under French colours when at the coast of Africa. I therefore request that your Excellency will be pleased to inform me the exact place where the capture of the slaver was effected by the "Neptuno," and whether there is any reason for supposing that said slaver was French, or had been fitted out and sailed under French colours.

Your, &c.

(Signed) JOS. T. CRAWFORD.

No. 58.

Her Majesty's Commissary Judge to Earl Russell.—(Received July 29.)

(No. 12.)

My Lord, *Havana, June 30, 1864.*

HER Catholic Majesty's steam-vessel the "Neptuno," Lieutenant-Commander Churruca, captured on the 6th February last, in latitude 22° 45′ 30″ north, longitude 72° 18′ 30″ west, from Cadiz, a brigantine, which showed French colours, but, when taken possession of, was found to be without colours or papers to prove her nationality, having on board 659 Bozal negroes of the Congo nation, who, with the prize vessel, were brought to this place, and were placed by the captors at the disposition of the Captain-General, by whom the captured vessel and the negroes, as well as the master and other persons who were on board, were passed to the Royal Audiencia for adjudication; his Excellency omitting to give notice to, or cognizance of the cause to, the Mixed Court of Justice established here under the Treaty with Spain for the adjudication of cases coming within the provisions of that Treaty, for suppression of the Slave Trade.

The captured negroes, having been dealt with by his Excellency as emancipados, and consigned to various patrons, the master and others were sent to the Castle of Cabaña, but were not, as I understand, kept in close confinement.

On the 9th of May General Dulce addressed a communication to the Spanish Judge of the Mixed Court, copy of which and its translation, marked No. 1, I have the honour of bringing under your Lordship's notice.

This communication begins by transcribing what "the Captain-General" addressed to "the Captain-General" as "Gobernador Superior Civil," as it appears to be General Dulce's idea that it is to his Excellency in the latter capacity that he is to have cognizance of matters connected with the Slave Trade; and then "the Gobernador Superior Civil" proceeds to transfer the cause of the captured slaver and her cargo to the Mixed Court, as directed by the Royal Audiencia, that Tribunal having, after three months' detention, pronounced its incompetency.

The peculiar terms in which this communication is conceived, and the opinion the Superior Civil Governor expresses therein as to the decision come to by the Royal Audiencia, as well as his uncalled for estimate of the result to be arrived at by the Mixed Court, will not escape your Lordship's observation.

The document No. 2 is the copy (signed by the Government Secretary, Don José Valls y Puig) of the sentence of inhibition pronounced by the Royal Audiencia, certified by the notary of that Court, dated the 26th of April last.

The Spanish Judge, upon the receipt of the Superior Civil Governor's communication, called a Court, which was held on the 11th of May, when the answer marked No. 3 was drawn up and transmitted to his Excellency, in accordance with the minute of same date, signed in Court, marked No. 4 of these proceedings; of date the 24th of May. The cause, as denominated, of the "*Pondicherry*" was sent by his Excellency to the Mixed Court, accompanied by an official communication and inclosure; and on the 2nd of June, the Court having deliberated thereon, pronounced its opinion in the terms as marked No. 5, declaring its incompetency, and returning the proceedings to the Superior Civil Governor for his Excellency's further action thereon.

Your Lordship will not fail to observe that the Mixed Court, when cognizance was given to it of this cause, had been deprived of all means of taking evidence, by the escape of all the principal parties from the fortress of Cabaña, which had previously taken place, and it will probably seem extraordinary how these prisoners were so insecurely held in custody, so easily made their escape, and have not been retaken since! as well as how conveniently they were out of the way when the cause was remitted to the Mixed Court! But it is to his Excellency the Captain-General, Superior Civil Governor's official letter, dated the 24th ultimo, and its inclosure, to the Judges of the Mixed Court that I would very especially desire to draw your Lordship's attention (Nos. 6 and 7 of these proceedings.)

General Dulce reiterates in his letter what he adventured in his previous communication to the Spanish Judge, and needlessly inculcates to the Court their restricting themselves to their attributions under the Treaty; but he incloses (No. 7) an official communication, or Royal order of the Spanish Government, dated the 27th of October, 1848, addressed by the Marquis de Pidal to the Captain-General of Cuba, of the existence of which the Mixed Court was, until the receipt of General Dulce's letter, entirely ignorant; and I venture to express my opinion that

said Royal order was not intended for the purpose to which it has been applied by his Excellency, but was meant as an instruction to the Captain-General, and can by no means alter or affect the letter or working of the existing Treaty, which it is its object to explain as it is interpreted at Madrid; and the object of General Dulce in referring to that instruction of his Government is, to deny to the Mixed Court the right of cognisance in the first instance of all cases of capture at sea by Spanish or British cruizers of vessels having slaves on board, or equipments for slave-trading.

It would be, perhaps, taking a great deal upon me to say that, if the case of the "*Pondicherry*" had come at once to the Mixed Court, that Court's jurisdiction might have been established. It is very possible that some one of the four escaped prisoners—the master, the mate, the supercargo, or the passenger—were Spaniards. The Royal Audiencia found them all Portuguese, and, although quite improbable, admitted their declarations, to the effect that they were persons who had no connections in this island whatever, but were coming here to sell their cargo of slaves as they best could.

No doubt the captures made by the other Spanish cruizers were all Portuguese, or of some other nation, since his Excellency General Dulce informs the Judges of the Mixed Court, in his letter to which I am soliciting your Lordship's attention, "that during the last twenty-nine years the traffic has not been carried on under the Spanish flag!"

In replying to his Excellency's letter and inclosure just referred to, the Court have noticed his observations, and have combatted his opinion, insisting upon their right to determine first of all, and in preference to any other tribunal, such cases as that of the "*Pondicherry*" and other captures by Spanish or British cruizers of slavers without papers or of doubtful nationality; referring to the agitation of that question and the insisting upon that privilege and attribution of the Mixed Court addressed to the Superior Government of the island in November 1858, the Mixed Court having no superior here, as was determined by Royal Order of 29th August, 1838; and citing to his Excelledcy some of the instances of this nature which have been determined in strict consonance with the letter of the existing Treaty.

I look upon the limitation of the attributions of the Mixed Court, sanctioned and practised by the present Captain-General in sending all the cases of captures of slavers which have taken place by the Spanish cruizers to the Royal Audiencia, instead of to the Mixed Court, as an innovation derogatory to the dignity of that tribunal and its establishment under the Treaty, which, if it is permitted, will defeat the objects of the Treaty, and facilitate slave-trading with impunity. Such also is the opinion of my Spanish colleague.

We have stated, in our answer to General Dulce, that the Royal Order of October 1848, communicated in his Excellency's letter, is the first knowledge which the Court had of that disposition, as it had never been referred to by any of the other Captains-General, Superior Civil Governors.

But your Lordship will easily perceive, in the tone of General Dulce's communications, and in that of the Marquis de Pidal's despatch, an uneasiness and unpleasantness quite characteristic of the Spaniard's feeling, because of the existence of a solemn Treaty the stipulations of which it is their constant study to evade.

The rest of the voluminous inclosures which I have the honour of transmitting to your Lordship along with this despatch is composed of extracts from the evidence taken by the Royal Audiencia in the case of the "*Pondicherry*," upon which the Mixed Court had no means of re-examining the parties who had made their escape from custody previous to the transmission of the proceedings by his Excellency the Captain-General, Gobernador Superior Civil.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 58.

The Captain-General of Cuba to the Spanish Judge of the Mixed Court of Justice.

(Translation.) *Havana, May* 9, 1864.

HIS Excellency the Captain-General, under date of the 2nd instant, says to me as follows:—

"Most Excellent Sir,—I have this day written to the Regente of the Royal Audiencia as follows:

"'I have received with your Honour's letter of the 26th ultimo a certificate of the Resolution adopted by the Second Hall of Justice in the cause of the capture of a slave-vessel at the cays of Santa Maria and Bahama

Bank, which I have read over, and although the said Resolution is communicated to me, as is stated in it, in order that the negroes found on board of said vessel may be placed at the disposal of the Mixed Court, as the affair does not concern this Captain-Generalship, I have deemed it necessary to transmit said certificate, as I now do, to his Excellency the Superior Civil Governor for him to deal with it.'

"I say this to your Honour, for your information, and in reply, hoping that in order to prevent difficulties and delays prejudice to the service, you will be pleased to give orders that the Audiencia shall in future correspond directly with the proper parties when treating of matters which, like that referred to, do not belong to this Captain-Generalship, which, together with the said certificate, I transmit to your Excellency for what may be deemed necessary."

Which I transcribe to your Honour, with the accompanying copy of the certificate his Excellency refers to, in view of what the Regente of the Royal Audiencia states, although I cannot comprehend the motives which led the Second Hall of Justice to determine their inhibition from proceeding further in the cause of the "*Pondicherry*," for she is a vessel without a flag or papers, having a cargo of negroes on board, which made her appearance in the waters of this island, rendered herself suspicious by her movements, of her ostensible intention to land and fraudulently introduce her cargo into it, and which pursued by a cruizer of Her Majesty, was overtaken and seized, although in neutral waters; that she is neither Spanish nor British, which vessels are alone comprehended in the Treaty of 1835 between both countries, and which gave rise to the Penal Law of 2nd March, 1845.

Nevertheless, your Honour, in laying the matter before the Mixed Court, can scrupulously examine whether the present case comes within its jurisdiction or not.

God preserve, &c. (Signed) DOMINGO DULCE.

Inclosure 2 in No. 58.

Certificate.

(Translation)

I CERTIFY that in the cause of the capture of a slave-ship at the cays of Santa Maria, Bahama Bank, the Royal Second Hall of Justice has been pleased to determine as follows:—

"Decree:

"In conformity with the representation of the Attorney-General this Royal Hall inhibits itself from proceeding further in the present cause, in favour of the Mixed Court of Justice, to which it will be transmitted with all the antecedents, placing at its disposal the brig '*Pondicherry*,' the negroes found on board, and the crew now in custody in the city prison, requesting said Court to report its decision to this High Tribunal; and let the Captain-General be informed of this determination in order that the said negroes may be placed, as stated above, at the disposal of the said Mixed Court.

"Decreed and signed by the parties in the margin. Havana, 19th April, 1864.

"There are four signatures, President, C. Manuel; Judges Busto, Villaescusa; Acting Judge, R. Gavilan."

(Signed) JOSE SOROA.

And for the purposes required I grant these presents.

Havana, April 26, 1864.

(Signed) JOSE SOROA.

Inclosure 3 in No. 58.

The Mixed Court to the Captain-General of Cuba.

Most Excellent Sir, *Havana, May* 11, 1864.

THIS Court has received your Excellency's communication of the 9th instant, transmitting a copy of the certificate of the Clerk of the Royal Audiencia Pretorial communicated to your Excellency by the Regente, by which it appears that the Second Hall of said Tribunal has renounced further cognizance of the cause relating to the capture of a slave-vessel at the cays of Santa Maria, Bahama Bank, in favour of this Mixed Court of Justice, transmitting to it all the antecedents, and placing at its disposal the captured brig "*Pondicherry*," the negroes found on board, and the crew who are in custody at the prison of this city.

Taking into consideration the stipulations contained in the Ist Article of Annex A, and in the IIIrd of Annex B of the existing Treaty of 1835, confirmed also by the Royal Order of the 19th August, 1838, this Court cannot but accept the cognizance of said cause, which it considers it should have done from the first, for the "*Pondicherry*" having been captured by a ship of the Royal Spanish navy, with a cargo of negroes, this fact of complete infraction of the Treaty brings it exclusively under the jurisdiction of the Mixed Court, which will then consider whether it should proceed with the case or not. Your Excellency can, therefore, transmit to this Court, as soon as the Regente had done so, all the proceedings instituted by the Second Hall of the Royal Aud encia, as has been decreed by that Tribunal in declining to proceed further with the case.

God preserve, &c. (Signed) JOSE MANUEL ESPELIUS.
JOS. T. CRAWFORD.

Inclosure 4 in No. 58.

Minute of the Mixed Court.

AT Havana, on the 2nd of June, 1864, the Spanish Judge, Don José Manuel Espelius, and the British Judge, Joseph Tucker Crawford, Esq., having examined the proceedings instituted by the Judge in Commission, Magistrate of the Royal Audiencia Pretorial, Don Anselmo de Villaescusa, with reference to the capture of the brig "*Pondicherry*," with a cargo of negroes, at the Cays of Santa Maria and Bahama Bank, on the 6th of February last, by Her Catholic Majesty's steamer "Neptuno," and which process was transmitted to this Court by the Captain-General, Superior Civil Governor, on the 24th ultimo, in consequence of the Decree of the Second Hall of Justice of said Royal Audiencia, dated the 19th of April last. Having examined the declaration of the Commander of Her Catholic Majesty's steamer "Neptuno," Don Alejandro Churruca, at folio 19, by which it appears that the

captured brig "*Pondicherry*" had no papers or documents of any kind to prove her true nationality, having only made use of the French flag; having also examined the declarations of the master, and crew, and passengers of the brig "*Pondicherry*" from folios 21 to 30, 42 to 56, and at folio 66, by which it appears that the said master is a Frenchman, domiciled at Lisbon, and the crew and passengers are Portuguese, the master confessing himself to be the owner of the cargo of negroes, in number 658, which he took from the coast of Africa, to land and sell them in this island as best he could: Considering that with regard to the truth of these assertions no further investigation can be made, because, as stated at folios 75 and 85, the said master, the mate, the boatswain, and the passenger, who were the principals in the cause, have escaped from the fortress of La Cabaña, where they were under arrest; and considering that from the rest of the proceedings it does not appear that any Spanish or British subject is interested in the vessel and her cargo, in which event only, according to the existing Treaty of 1835, this Court would be competent to decide the case,—the Judges were of opinion that they should not proceed with the cause before them, and ordered it therefore to be returned in the usual form of courtesy to his Excellency the Captain-General, Superior Civil Governor, together with the documents which had accompanied it, and with a certified copy of this resolution, in order that his Excellency might act as he thought fit, placing also at his disposal the brig "*Pondicherry*," which is at the Royal Arsenal, the negroes found on board, and the crew in confinement in the prison of this city, which were at the orders of this Court.

Thus ordered, ruled, and signed by their Honours, which I, the Secretary, certify.

(Signed) JOSE MANUEL ESPELIUS.
JOS. T. CRAWFORD.
L. CRISTOVAL VALDES Y BAVENT.

Inclosure 5 in No. 58.

The Captain-General of Cuba to the Mixed Court.

(Translation.) *Havana, May* 24, 1864.

IN view of what your Honours state to me in your despatch of the 11th instant, in answer to mine of the 9th, I have to inform you that I addressed myself to your Honours under the supposition that the Regente of the Royal Audiencia had had an understanding with your Honours, without my interference—which is the proper course—transmitting to you the proceedings instituted on account of the capture of the brig "*Pondicherry*" with negroes, the Second Hall of Justice of the said Audiencia having renounced the prosecution in favour of the Mixed Court, which has actually been the case, but by mistake, as is apparent from your Honours having sent me the case *ex officio*. I have now therefore the pleasure of transmitting the case to your Honours, with the other documents which belong to it; and in doing so I cannot do less than reiterate to your Honours what I said in my letter of the 9th instant upon this subject, and the more so as the Ist Article of Annex A of the Treaty of 1835, which your Honours quote, confirms my opinion that the cognizance of the case of the capture of the "*Pondicherry*" does not in any way belong to the Mixed Court, because it has reference solely to British or Spanish merchant-vessels which may be captured by the cruizers of either country; and the IIIrd Article of Annex B of that Treaty, which is also quoted by your Honours, only agrees with the other, for it is not to be presumed that it is applicable to vessels of any other nation, because neither Spain nor any other Power can stipulate for the vessels of other countries in their reciprocal Treaties, and therefore this being both evident and logical, I cannot consent in any way to a false interpretation of the spirit and letter of the Treaties of 1817 and 1835 between Spain and England, and so it is borne out and confirmed by the Royal Order of the 27th of October, 1848, a copy of which is inclosed herewith, which explains to this Government and Captain-Generalship the meaning of the said Treaties for the abolition of the Slave Trade; and it is so clear and conclusive that it leaves not the least doubt, for it says "that Spain only agreed with the British Government that her ships of war might search Spanish merchant-vessels navigating within certain limits, and that finding them laden with negroes from the coast of Africa, or fitted out for such traffic," &c., and "that the Spanish Government might admit and did admit of the co-operation of England to cruize against the Slave Trade which might be carried on by her subjects without her territory and on the high seas," &c. For these reasons, which admit of no discussion, your Honours will observe that the local authorities of the country whose laws are infringed, or are attempted to be infringed, are those who ought to try the causes which are given rise to by such infringements; and I repeat, therefore, that the right of Spanish jurisdiction solely and exclusively to try the cause of the seizure of the "*Pondicherry*" is unquestionable, because the vessel is neither Spanish nor British, nor does her crew belong to either country (they are Portuguese); she is, in truth, an unlawful trader without flag or papers, which was in the waters of this island, and which being chased, although from these waters she passed to the high seas, was at last caught, captured, and brought in with her cargo by one of Her Majesty's cruizers, for ostensibly attempting to land it in this island, as confessed by the master or captain in his declaration, thus violating our laws, which prohibit such a traffic.

I abstain from enumerating the captures of foreign vessels, with or without flag or papers, which British and even American cruizers have made on the coasts of this island and on the high seas in its vicinity (for the Spanish flag has, since twenty-nine years, disappeared from being employed in this traffic), which were taken by their captors to places belonging to their respective nations, and there condemned by the local authorities, without being brought for adjudication before the Mixed Court of Justice, as they were not within its competency.

In view, therefore, of all I have stated, I hope, from your Honours' lucid and upright judgment, that you will admit that you have no right to take cognizance of the case of the "*Pondicherry*," returning the cause to me, in order that the Royal Audiencia may follow it up as it ought to do.

God preserve, &c. (Signed) DOMINGO DULCE.

Inclosure 6 in No. 58.

Royal Order of October 27, 1848, *explaining to the Captain-General of Cuba the Meaning of the Treaties of* 1817 *and* 1835, *on the Abolition of the Slave Trade.*

(Translation.)

Most Excellent Sir, *Principal Secretary of State's Office, Madrid, October* 27, 1848.

I HAVE received your Excellency's despatch of the 9th of September, reporting the correspondence between your Excellency and the British Consul, relative to the capture of 130 negroes in the Bay of Cabañas; and I consider it necessary to furnish your Excellency with the following explanations on the subject:—

The Spanish Government has prohibited the Slave Trade, which was formerly carried on with the coast of Africa. This prohibition, once become a law of Spain, constitutes a legal precept with regard to which Spanish jurisdiction has alone a right to interfere; so that in the same manner that it would be a violation of the jurisdictional independence of Spain if a foreign Power took upon itself to denounce crimes declared as such by the laws of this country, even though this impertinent interference might be justified under the pretext that the crime was more or less grave, and that it was also condemned by the laws of all civilized nations, so it is that the British officers in Cuba should take upon themselves to denounce the infringements of the laws which prohibit the Slave Trade, and much more so that they should constitute themselves persecutors of the delinquents and fiscals in these matters. It is true that there is a peculiarity in these offences which is not common to all others, and which constitutes a species of joint action between Spain and England in order to prosecute them; but this circumstance does not in any way prejudice the general principles of right, nor does it wound the independence or dignity of Spain. The Spanish Government being resolved to prohibit in its dominions the Slave Trade, which was legally carried on with the coast of Africa, as the most efficacious means of enforcing that prohibition was the establishment of cruizers to pursue the illegal traders, agreed with the British Government that its ships of war might search Spanish merchant-vessels navigating within certain limits, and that finding them laden with negroes from the Coast of Africa, or fitted for this trade, they might capture and take them to some Spanish or British colony. But as this capture might be effected indiscriminately by Spanish or British cruizers, and as the prize might belong to one or other country, it was necessary to establish a Mixed Court composed of Judges named by both Governments in order to adjudicate such cases. This is the origin and the object of the Mixed Courts, and all that which is not purely the adjudication of the captures of slave-vessels made by the ships of war of the two countries is an abuse, for it is not within the spirit or the letter of the Treaties of 1817 and 1835, which are strictly limited to allow the right of search, the form in which such search is to be made, and the manner in which prizes are to be adjudicated.

Based upon these unquestionable principles the Spanish Government held in 1845 a stubborn altercation with the British Cabinet in order to put an end to the abusive practice introduced during the troubles of the civil war, of the British Judges converting themselves into a negro Police Court, and into accusers and examiners of every circumstance which at their pleasure they qualified as an infraction of the Treaties.

The British Government, acknowledging the right of Spain, ordered its Judges of the Mixed Court of Havana to abstain in future from making denouncements, and from meddling with any question which did not peculiarly concern the Court; and the Spanish Government, desirous of giving a proof of the good faith with which it was animated in this matter, consented to the British Consul's appprizing the chief authority of Cuba of any circumstance contrary to the Treaty which he might know of. These agreements, of which your Excellency is aware, as they have been communicated to the superior Political Government of Cuba in your time, corroborate and confirm the opinion of Her Majesty's Government that by the Treaties of 1817 and 1835, Spain did not impose upon itself any duty which impaired its independence, or altered the position of the British officers: that is to say, that the Judges of the Mixed Court did not acquire any other attribution than that of adjudicating the cases of vessels captured at sea, nor did the British Consul obtain any special rights which were not enjoyed by others of his class.

In spite of this Her Majesty's Government finds established in Cuba some agents whose appellative and functions are not recognized by the Treaties, for the British Commissioners, accusers and censurers of the Spanish authorities, through the medium of their Consul, are neither according to the letter nor the spirit of the stipulations which exist between Spain and England.

Spain can only recognize a Mixed Court for the purpose of adjudicating the cases of capture, and its Judges out of Court have no significance (are nobodies) whether they are English or Spanish. The Spanish Government might admit and did admit of the co-operation of England in putting down the Slave Trade which might be carried on by their subjects forth of its territory, and on the high seas, but it never was, nor could it be its intention to admit of this intervention within its own dominions where the action of its authorities was sufficient to repress that or any other crime.

Finally, the British Consul, to whom was simply conceded by the Agreement of 1845 the right of reporting to the Captain-General any circumstance contrary to the Treaties, cannot legally hold discussions with the chief authority of Cuba, and still less indicate to him the turn which he should give to judicial processes.

Her Majesty's Government most particularly directs your Excellency, therefore, not to permit foreign functionaries to commit these abuses, endeavouring to make them understand their true position in accordance with the principles laid down in this despatch. I say this to your Excellency by Royal order for your information and government.

God preserve, &c. (Signed) PEDRO JOSE PIDAL.

Inclosure 7 in No. 58.

The Mixed Court to the Captain-General of Cuba.

Havana, June 4, 1864.

Most Excellent Sir,

WE have the honour to transmit to your Excellency, for the purposes you may determine, the proceedings instituted by the Judge in Commission, Magistrate of the Audiencia, Don Anselmo de Villaescusa, relative to the capture of the brig "*Pondicherry*," with a cargo of negroes, by the Spanish steamer of war "Neptuno," and the cognizance of which the Second Hall of Justice of said Royal Audiencia renounced in favour of this Court, returning to your Excellency at the same time the plan and other documents which accompanied your Excellency's despatch of the 24th ultimo, this Court having likewise declined proceeding with the cause, for the reasons stated in its final Decree of the 2nd instant, a certified copy of which we inclose herewith.

We consider it our duty, and in answer to what your Excellency was pleased to state in your said despatch, respectfully to remark that this Court does not ignore that according to the letter and spirit of the Articles of the existing Treaty it has no right whatever to take coguizance of any other captures than those which may be effected at sea by the ships of the Royal navies of Spain or Great Britain of the merchant-vessels of the said countries which may be occupied in the Slave Trade, or fitted out for it, and for this reason it has repeatedly declined to proceed with cases (as it now does with regard to the proceedings which have arisen in consequence of the capture of the "*Pondicherry*") of the capture of vessels which afterwards turned out to be neither Spanish nor British, but belonging to other countries, or whose nationality could not be positively ascertained. But we have always considered that these initiatory proceedings, which are those which ought to determine said nationality, should be solely and exclusively instituted by the Mixed Court, upon which point the Court has raised a question with the Government of this island ever since the month of November 1858, inasmuch as this

Court having no superior in the island, according to the Royal Order of the 29th August, 1838, a copy of which we have the honour to inclose to your Excellency, which could judge of its competency or incompetency in causes of this nature, it appears that it belongs solely to the Mixed Court to determine said nationality in view of the proceedings which it may institute.

And the Court has done so in many cases, giving them up, amongst which we will cite two to your Excellenco, on account of their analogy to the case of the "*Pondicherry*."

On the 7th of March, 1842, his Excellency the Captain-General, Superior Civil Governor, in conformity with the opinion of his first Solicitor-General, placed at the orders of this Court for adjudication the schooner "*Aurelia Felix*," with her cargo of negroes, and the verbal process of her capture, by the Spanish brig of war "Cubano." The said verbal process, together with some papers which were found on board of the captured vessel (whose crew escaped) showed her to be Portuguese, or belonging to Portuguese subjects, for which reason the Mixed Court delivered its final sentence on the 12th of that month, declaring that it had abstained from carrying on the proceedings, as the case did not belong to that Court, and ordering it to be returned to his Excellency the Captain-General, Superior Civil Governor, for such purposes as he might determine.

And in 1855, the Commander of Her Britannic Majesty's brig "Espiegle" brought before the Mixed Court the brig "*Grey Eagle*," of Philadelphia, captured without crew, papers, or negroes, but with the evident signs of having landed a cargo of slaves. And as in spite of the various proceedings which were instituted by order of the Court, the nationality of the vessel could not be positively ascertained, the Mixed Court declared its incompetency to adjudicate the case, and therefore placed it in the hands of his Excellency the Captain-General, Superior Civil Governor, for such purposes as he might determine.

The copy of the Royal Order of the 27th October, 1848, which your Excellency has been pleased to transmit to us, is the first notice of it which the Court has received, as it is not in the archives nor among the dispositions of the kind transmitted directly to the Court by the Supreme Government, nor among those which have been sent to it by other Captains-General.

Finally, we beg leave to assure your Excellency with the utmost sincerity that it has never been our intention in dealing with this subject to make interpretations which could alter the letter or the spirit of the Treaty, or to assume powers which do not belong to the Court, but, on the contrary, our observations have been made with the sole object of showing that on the part of the Mixed Court there cannot be any species of omisaion in carrying out the stipulations of said Treaty.

God preserve, &c. (Signed) JOSE MANUEL ESPELIUS.
JOS. T. CRAWFORD.

Inclosure 8 in No. 58.

Extracts or Minutes of the Evidence in the cause of the "Pondicherry," *before the Royal Audiencia.*

Folio 15.—Survey of the "*Pondicherry*" by two carpenters of the Royal dockyard, reporting her to be a brig full rigged; length, 127 feet; breadth, 31 feet; depth of hold, 16 feet; tonnage, 368 tons.

Folio 16.—Statement that there were at the depôt of emancipados the negroes captured in the "*Pondicherry*," viz., 658, of which 278 are women, 7 being sick, and 1 having died that day the 14th February, 1864.

Folio 17.—Declaration of the negro José Congo, about 33 years old, states that he was taken in Africa by a factor called Don José Joaquin Botelho. That the cargo consisted of 667 negroes when they sailed, 12 adults and 2 children having died on the passage. That he did not hear the captain say when they were to be landed.

Folio 17.—Declaration of the negro Simeon, called Manuele in his own country, about 34 years of age, corroborates that of José Congo.

Folio 18.—Several other negroes examined, but nothing more could be obtained from them.

Folio 19.—Declaration of Don Alejandro Churruca, Commander of the steamer "Neptuno," states that on the 6th instant, at 3·45 P.M., being in Cuban waters, and having received information the day previous from the Naval Commandant at Nuevitas, he gave chase to a square-rigged vessel, which he made out at 6 P.M. to be a brig, which hoisted the French flag. That considering her suspicious he sent the Ensign Don Pedro de la Puente on board, which officer informed him that the master of the vessel upon being asked for his papers, had answered him that he had none, and that he was his prisoner as he had a slave-cargo. That he ordered all the crew of the prize on board the "Neptuno," with the exception of two men who were left to attend to the negroes, placing them under the surveillance of his own crew. That there were 659 negroes on board the prize. That he then brought her to this port, reporting himself on arrival to the Admiral, who ordered him to present himself to the Captain-General. That he did so, and that his Excellency ordered him to deliver up the negroes and the crew, which was done as per the receipts which he held and exhibited. That the name of the vessel was the "*Pondicherry*," a name agreeing with the flag, which, as he before stated, was French, which name although given to her does not prove her nationality, inasmuch as she had no papers of any kind.

Folio 21.—Declaration of Don Francisco Antonio Selpivin, states that he was a native of Paris and citizen of Lisbon. That the "Neptuno" captured him on the 6th instant at 5·30 P.M., about twenty miles from the coast of Cuba, near the Bahama Bank, on suspicion of having contraband goods on board, and for want of papers. That he had for cargo 658 Bozal negroes from the coast of Africa, and that he had brought them on his own account with the intention of selling them in Cuba, but without having made arrangements with any one for their disembarkation. That he came entirely on speculation, without other intention than that of landing the cargo where best he could. That he is aware that the laws of Spain condemn the Slave Trade; but that it being customary for the British cruizers to set the crews of vessels employed in this Traffic at liberty when captured, he thought that the only evil that might happen to him would be the loss of ship and cargo. That the vessel belonged to a Company established on the coast of Africa. That the vessel had no name, as she had no official documents. That deponent, who commanded her, gave her the name of "*Pondicherry*." That she had no flag, for which reason he used that of any country according to circumstances, and that he has not been captured before.

Folio 22.—Declaration of Don Pedro Augusto, states that he belongs to Oporto, and that he was mate of the vessel. That the "Neptuno" captured them on the 6th instant, at the same time and place as stated by the master. That they had on board 658 negroes from the coast of Africa. That he does not know to whom they were consigned, believing that the master brought them for his own account, respecting which he can furnish no particulars, because as mate he was not in the secrets of the business, and that he was occupied only in fulfilling his duty as mate. That he happened to be on the Coast of Africa waiting employment, when the place was

offered to him. That he accepted it, but without taking any share in the cargo, and only for the wages offered, and which he has not received in consequence of the capture. That the vessel had neither name nor colours, being without papers, and that the captain may have perhaps called her the "*Pondicherry*." That he does not know whether the master was in league with any one on shore, but he supposes that the master's intention was to land the cargo where best he could. That they brought a passenger from the coast of Africa, a Portuguese, whom he knows by the name of Don Francisco, being ignorant whether he has any share in the cargo. And with regard to responsibility, he says the same as the master.

Folio 24.—Declaration of Don Francisco Silva, native of Lisbon. States that he was taken prisoner on board of a slave ship on the 6th instant by the "Neptuno," the nome of the place he does not know. That he was a passenger on board of the vessel. That being ill on the coast of Africa he thought of coming to Cuba to get cured and to work; but that not having wherewith to pay his passage, and a free passage being offered him, he availed himself of the chance, making the voyage simply as a passenger. That he was not aware of the risk which he ran embarking on board of a slaver. That he does not know who were the consignees of the cargo, but supposes that it was only a matter between a company on the coast of Africa and the master, who was to land the cargo without the intervention of any person in this island. That no other vessel came near them during the voyage but the "Neptuno," and that he has no passport or other papers, as it is not customary to take them out in Africa.

Folio 26.—Declaration of Don Juan de Castro, native of Lisbon, boatswain of the prize, states the same as the mate, although less explicit.

Folio 27.—Declaration of Joaquin Santos, seaman, native of Lisbon. States that he was captured on the 6th instant at 6 P.M., out of sight of land, by a Spanish war steamer, for having slaves on board. That he does not know to whom the negoes belonged, because as a seaman he only knew the master who engaged him. That no vessel came near them during the passage. That he believed that he ran no other risk than that of being captured by some British cruizer, in which case he would be put on shore, and that he was not aware of the severity with which the Spanish laws punish this illegal commerce.

The rest of the crew declare the same, all of them being Portuguese, and having been engaged on the coast of Africa by the master of the "*Pondicherry*."

Folio 69.—By an order of 26th February, the crew are ordered to be taken from the Cabana to the public jail.

By letter of the 24th February, the Governor of the City reports the escape of Don Francisco Antonio Selpivin, the master, and Don Francisco Silva, the passenger of the "*Pondicherry*." And by another letter of 7th March, he reports the escape of Don Pedro Augusto, the mate, and Don Juan Castro, the boatswain of the said vessel, all from the fortress of La Cabana.

Inclosure 9 in No. 58.

Minute of the Mixed Court.

FROM these extracts of the case it appears:—

1st. That the "*Pondicherry*," captured by a steamer of the Spanish Royal Navy, the "Neptuno," had no papers or other documents to prove her nationality.

2nd. That she sailed from the coast of Africa with a cargo of negroes for the master's account, and that the master had no connection with any person in this island. Any further investigation upon the subject is rendered impossible by the escape of the master, the passenger, the mate, and the boatswain of the vessel.

3rd. That the master was a Frenchman, and the rest of the crew, including the passenger, were Portuguese.

Inclosure 2 in No. 56.

The Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.) *Havana, April* 27, 1864.

IN answer to the very satisfactory letter which your Honour was pleased to write to me, of yesterday's date, referring to the capture of Bozals effected on the 6th of February last by Her Catholic Majesty's steamer of war "Neptuno," which gives rise to your asking me, by order of the Government you so worthily represent, the exact place at which the capture took place, I have the honour of stating to you that according to the Government process, of which the original exists in this Department as drawn up by Commandant of said steamer the "Neptuno," the prize was made north of the Cayos San Filipe about twelve miles, in latitude 22° 45′, longitude west 72° 18′ 30″, nearly. A suspicious vessel was seen in the waters of Boca de las Carritas, near Matirnillos, and as she looked so, according to the information which the "Commandante" (Commander) of the "Neptuno" had from his superiors, he set about overhauling her. As he was nearing her, he perceived that she was a brigantine under the topsails, top-gallant sails and jib, and she showed her colours. Our steamer answered the brigantine with French colours, and as the "Neptuno" passed her stern, they asked, where she was bound to; to which they answered, "to Havana." But desirous of putting the matter out of doubt the Commander sent his Second on board the brigantine to ask for her papers, upon which they hauled down the French colours, and said that they had none, immediately giving themselves up as captured, bringing negroes (Bozals). The vessel, they said, was called the "*Pondichery*." Her crew consisted of a master, a mate, a passenger, and fourteen men, Portuguese; and no other information could be obtained, she having brought no papers as already stated. A copy of this summary was sent to the Royal Audiencia, which appointed Don Anselmo Villaescusa to draw up the proceedings in the cause.

This is all I am able to tell your Honour.

God preserve, &c. (Signed) DOMINGO DULCE.

No. 57.

Her Majesty's Commissary Judge to Earl Russell.—(Received June 9.)

(No. 10.)

My Lord, *Havana, May* 13, 1864.

I HAVE the honour of reporting to your Lordship that, according to an official communication which has been addressed to the Captain-General by the Royal Audiencia, and by his Excellency sent to the Mixed Court, the Royal Audiencia has declared the incompetency of that Tribunal to try the case of the slaver* captured on the 6th of February by Her Catholic Majesty's steam-vessel "Neptuno," which it has been determined corresponds to the jurisdiction of the Tribunal established under the Treaty of 1835 for suppression of the Slave Trade.

The proceedings in the case which have occupied the Royal Audiencia since the slaver was libelled, now about three months, will probably be passed to the Mixed Court in a day or two, when its competency will also have to be determined, the vessel having been found without papers, and, I understand, the persons on board all declared themselves to be Portuguese. Besides this, the master and another, who passed as a passenger, have escaped from the castle of the Cabanas, which complicates matters still more; as it might have resulted, could we have had these prisoners in Court, that their Portuguese origin was only assumed to serve their purposes of defence.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 58.

Her Majesty's Commissary Judge to Earl Russell, No. 12, *June* 30, 1864.

["*Pondichery*" captured by Her Catholic Majesty's ship "Neptuno."

No. 59.

Her Majesty's Commissary Judge to Earl Russell.—(Received July 29.)

(No. 14.)

My Lord, *Havana, July* 1, 1864.

IN obedience to the Act 5 Geo. IV, cap. 113, directing such returns to be made on the 1st day of January and on the 1st day of July in each year, I have the honour of reporting to your Lordship that there was no case brought for adjudication before the Mixed Court of Justice at this place during the last six months, with the exception of that of the "*Pondichery*," which forms the subject of a separate despatch (No. 12).

I have, &c.

(Signed) JOS. T. CRAWFORD.

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* Known as the "*Pondichery*."

No. 60.

Her Majesty's Acting Commissary Judge to Earl Russell.—(Received August 29.)

(No. 15.)

My Lord, *Havana, July 29, 1864.*

IT is my very painful duty to announce to your Lordship the death of Joseph Tucker Crawford, Esq. C.B. Her Majesty's Commissary Judge in the Mixed Court of Justice established at this place under the Treaty with Spain for the abolition of the Slave Trade, which sad event occurred on the night of the 27th instant.

I shall assume the duties of the late Commissary Judge until your Lordship's pleasure is known, in accordance with the second paragraph of the ninth Article of Annex B of the existing Treaty, and I shall duly notify his Excellency the Captain-General on the subject.

I have, &c.

(Signed) JOHN V. CRAWFORD.

No. 61.

Her Majesty's Acting Commissary Judge to Earl Russell.—(Received August 29.)

(No. 16.)

My Lord, *Havana, August 1, 1864.*

I HAVE the honour of acknowledging the receipt of your Lordship's despatch No. 3 of the 30th of June last, acceding to my request for six months' leave of absence, for which I thank your Lordship.

Under present circumstances of course I cannot avail myself of it.

I have, &c.

(Signed) JOHN V. CRAWFORD.

No. 62.

Her Majesty's Acting Commissary Judge to Earl Russell, No. 17, August 10, 1864.

[Don Rafael Toca appointed Judge.]

No. 63.

Earl Russell to Mr. Bunch.

(No. 1.)

Sir, *Foreign Office, October 31, 1864.*

I HAVE to acquaint you that in addition to your appointment as Her Majesty's Consul-General at Havana, the Queen has been graciously pleased to approve of your holding also the appointment of Judge in the British and Spanish Mixed Commission Court, established at that place under the provisions of the Treaty of the 28th of June, 1835, between Great Britain and Spain, for the suppression of the African Slave Trade.

I transmit to you herewith Her Majesty's Commission to that effect.

A salary of 500*l.* a-year, to commence from the day of your arrival at Havana, is attached to your appointment as Judge, and during periods of absence from your post your salary will be diminished by one half.

I have to desire that you will consider the Treaty of 28th June, 1835, between Great Britain and Spain for the suppression of the Slave Trade, and the Acts of Parliament which have been passed for carrying it into effect as laying down the general basis and rule of your conduct in the office to which Her Majesty has been pleased to appoint you.

You will take before the proper authority at the Havana the oath prescribed by Act 1 of Annex B to the Treaty.

In discharging the functions entrusted to you, you will be careful not to lose sight of your judicial character, and you will uniformly endeavour to combine a fair and conscientious zeal for the suppression of the Slave Trade, with the maintenance of the strictest justice towards the parties concerned, and with the promotion of a

spirit of conciliation and harmony between Her Majesty's subjects and those of Her Catholic Majesty.

Her Majesty has commanded that you shall from time to time transmit to this office an account of your proceedings, in despatches addressed to Her Majesty's Secretary of State for Foreign Affairs, and that you shall also conform to such further instructions and directions as you may, from time to time, receive from him for your guidance.

I am, &c.
(Signed) RUSSELL.

No. 64.

Earl Russell to Mr. Bunch.

(No. 2.)
Sir, *Foreign Office, November* 16, 1864.

I HAVE to instruct you to place yourself in communication with the Consul and Vice-Consuls of the United States established in the Island of Cuba, for the purpose of exchanging any information which you may obtain with reference to the African Slave Trade, and of concerting measures calculated to be of use in frustrating the designs of the slave-dealers.

I am, &c.
(Signed) RUSSELL.

No. 65.

Her Majesty's Acting Commissary Judge to Earl Russell.—(Received November 29.)

No. 19.)
My Lord, *Havana, September* 30, 1864.

I HAVE the honour of laying before your Lordship a statement of the number of Slaves which are officially reported to have been landed in this island during the year ending this day, amounting to 5105, of which the Spanish authorities have captured 2,980, and some doubt seems to exist as to the remainder, as the Captain-General positively denies their having been landed.

It would be rather fabulous to suppose that no African negroes have been imported into Cuba during the last twelve months, and I have no doubt whatever in my own mind that a good many cargoes have been introduced, but it is impossible to arrive at any just estimate of the numbers imported.

Much greater secresy prevails every day in such matters, and it is extremely difficult to obtain information, as Slave Trade operations are now principally carried on by companies of wealthy individuals, the outfits being made in Barcelona, Cadiz, Bordeaux or Marseilles.

It is, however, due to General Dulce, the present Captain-General of Cuba, for me to state that his continued hostility to this abominable traffic has had great weight in diminishing it, and it is much to be regretted that his Excellency has not been supported, nor have his suggestions been acted upon by the Spanish Government, for had such been the case, I am firmly convinced that the Slave Trade would now have been effectually put an end to between this Island and the African coast.

The recent change of Ministry in Spain must necessarily lead to General Dulce's removal, and already counting that such will be the case, and that his successor will be more accessible, the slave-traders have resumed their former activity, and it is rumoured that numerous adventures have been started, chiefly from Europe, where more suitable vessels can be obtained, and where they can be fitted out more readily and with less suspicion than here.

In fact, my Lord, it seems almost folly to hope that the Slave Trade between Africa and Cuba will ever be relinquished until Spain declares that Trade piracy.

This island is so very productive; the demand for labouring hands is so great; morality is at so low an ebb; the incentives to slave-trading are so inviting; and the temptation to the needy employés of the Government, nine-tenths of whom come out here to make their fortunes as rapidly and as unscrupulously as possible, is so irresistible, that it is no wonder that there are always to be found parties who are ready to launch their iniquitous adventures to the coast of Africa, no matter what difficulties or dangers they may have to encounter.

The untiring vigilance of the British cruisers on the African coast, and in the waters which surround Cuba, renders the prosecution of such voyages most hazardous; but, provided with swifter steamers, and being sure of the concurrence of the local authorities in this island, the slave trader scorns all difficulties or dangers.

If we are to expect the speedy abolition of the Slave Trade between this island and Africa, we must look to other expedients than those which have been put in practice up to the present time.

If Spain really wishes to prove her sincere desire to put an end to the Slave Trade, let her declare it piracy, and let her enact a Penal Law such as that which is recommended by the late lamented Consul-General in his despatch No. 13 of the 16th of June last, failing which nothing but retaliatory measures will ever induce the Spaniards to abandon the course of deceit and bad faith which they have practised towards Great Britain as regards the fulfilment of the Treaty of 1835 for the abolition of the Slave Trade, ever since it was signed.

I have, &c.

(Signed) JOHN V. CRAWFORD.

Inclosure in No. 65.

STATEMENT of the Number of Slaves reported to have been Landed and Captured in Cuba, from October 1 1863, to September 20, 1864.

Date of Landing.	Where Landed or Captured.	Number of Slaves.		Vessels.	Remarks.
		Landed.	Captured.		
1863					
Nov. ..	Bay of Cochinos ..	1,105	1,105	Steamer "Ciceron" ..	Seized by Colonel Arguelles, in Colon district.
	Mariel	354	354	Brig	Captured by Spanish frigate's ("Petronila") boat.
1864					
Feb. 8	Bahama Bank ..	682	682	Brig "Pondichery" .	Congos. Captured by the Spanish gun-boat "Neptuno."
,,	Cays Doce Leguas ..	365	365	Brig	Captured by Spanish gun-boat "Lezo."
April 19	Cabanas	625	..	Brig "Isabel" ..	Vessel was scuttled. Denied by the authorities.
May ..	Cays Doce Leguas ..	474	474	Vessel was burnt ..	Captured by Spanish gun-boat "Guadalquivir."
June ..	La Teja	1,500	..	Steamer	Landed at the estate Aurora. Denied by the authorities.
		5,105	2,980		
	Add one-third ..	1,702	994		
		6,807	3,974		

(Signed) JOHN V. CRAWFORD, *Acting Commissary Judge.*

Havana, September 30, 1864.

CAPE OF GOOD HOPE.

No. 66.

Her Majesty's Commissioners to Earl Russell.—(Received February 25, 1864.)

(No. 25.)
My Lord, *Cape Town, December 21, 1863*

WE have the honour to inform your Lordship that Mr. W. L. Avery, Arbitrator in this Mixed Court of Justice on the part of the United States of America, returned to this Colony on the 17th instant.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 67.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

(No. 1.)
My Lord, *Cape Town, January 6, 1864.*

WE have the honour to report to your Lordship that no case has been adjudicated by the Mixed Commission of which we are members during the half-year ending the 31st December, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 68.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

(No. 2.)
My Lord, *Cape Town, January 6, 1864.*

IN pursuance of the instructions given to us in the Earl of Aberdeen's despatch No. 2 of the 20th of February, 1843, by which we are directed to transmit at the close of each year a detailed Report of the judicial proceedings of this Mixed Commission, we have the honour to report that no case has been adjudicated by the Court during the year ending 31st December, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 69.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

(No. 3.)
My Lord, *Cape Town, January 6, 1864.*

WITH reference to instructions given to us to transmit to the Foreign Office at the end of each year a certified copy of the register of slaves emancipated by sentence of this Mixed Commission, we have the honour to acquaint your Lordship that no vessel with slaves on board has been brought before us during the year ending December 31, 1863.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 70.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

(No. 6.)

My Lord, *Cape Town, January 6, 1864.*

WE have the honour to transmit to your Lordship a Report drawn up by the Mixed Commission, of which we are members, in compliance with the provisions of Article XI, Annex B, to the Treaty of July 3, 1842, between Great Britain and Portugal for the suppression of the Traffic in Slaves, relating—

1. To the cases which have been brought before the Court for adjudication.
2. To the state of the liberated negroes.
3. To the treatment and progress made in the religious and mechanical education of the liberated negroes.

We have also the honour to inform your Lordship that our Portuguese colleague is about to transmit a duplicate original of this Report to the Government of His Most Faithful Majesty.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 70.

Annual Report of the Mixed Commission.

IN pursuance of Article XI of Annex B to the Treaty concluded on the 3rd of July, 1842, between Great Britain and Portugal, for the suppression of the Traffic in Slaves, by which it is stipulated that the Mixed Commissions shall transmit annually to each Government a Report relating—

1. To the cases which have been brought before them for adjudication;
2. To the state of the liberated negroes;
3. To every information which they may be able to obtain respecting the treatment and the progress made in the religious and the mechanical education of the liberated negroes;—

The Undersigned, members of the Mixed Commission established at the Cape of Good Hope, have the honour to report to the Government of Her Britannic Majesty, and to the Government of His Most Faithful Majesty, that no case has been brought before them for adjudication during the year ending December 31, 1863, and that no negroes have been emancipated by Decree of this Mixed Commission since its establishment.

(Signed) GEO. FRERE. EDUARDO A. DE CARVALHO.
E. L. LAYARD.
(Signed) WM. TASKER SMITH, *Registrar.*

Mixed British and Portuguese Commission, Cape Town, December 30, 1863.

No. 71.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

(No. 7.)

My Lord, *Cape Town, January 6, 1864.*

WE have the honour to report to your Lordship that no case has been adjudicated by the Mixed British and United States' Court of Justice of which we are members, during the half-year ending December 31, 1863.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 72.

Her Majesty's Commissioners to Earl Russell.—(Received February 25.)

(No. 8.)

My Lord, *Cape Town, January 6, 1864.*

WE have the honour to inform your Lordship that no slaves have been emancipated by sentence of this Mixed British and United States' Court of Justice during the year ending December 31, 1863.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 73.

Her Majesty's Commissioners to Earl Russell.—(*Received February* 25.)

(No. 9.)

My Lord, *Cape Town, January* 26, 1864.

WE have the honour to report to your Lordship that during the present month two large vessels have touched here conveying coolies from Hong Kong to the Havana, namely:—

1. The ship "Luisita," formerly the "Fanny Terry" of New York, of 685 tons; number shipped 308; deaths 34; owner, F. M. da Graça of Macao. Arrived on the 4th of January, and sailed on the 7th.

2. The ship "Camoëns," formerly the "Julia G. Taylor," of New York; of 846 tons; number shipped 400; deaths 8; owner J. M. da Fonseca of Macao. The shipments in both these vessels were made in virtue of passports from the Spanish Consul at the port of embarcation, and consisted entirely of males. Two other vessels may shortly be expected under similar circumstances; namely, the "Sarah Chase," now called the "Donna Maria da Gloria," and the "Parliament," the new name of which is not reported.

From what we have been able to learn there is no doubt but that these were American vessels engaged in the conveyance of coolies under the Royal Decree of June 6, 1860, and that the Portuguese flag and papers were obtained for them from the Governor of Macao in order to secure them from molestation by vessels cruizing under the Confederate flag. Our Portuguese colleague, Senhor Carvalho, is, however, far from satisfied with the manner in which this appears to have been effected.

The regulations of the Portuguese law which require that a certain number at least of the officers and crew should be Portuguese subjects seem to have been disregarded, there being but one person shipped nominally as captain, all the rest being Americans. The pretended captain of the "Luisita," a coloured man, named Nunez, indeed, admitted that he was hired on monthly wages, and was promised a passage back to Macao from Havana if the vessel was not continued in the same course of trade.

The number of persons shipped is also, we believe, in excess of what is allowed by the laws either of the United States or of Portugal, being in both cases nearly one to every two tons.

These cases have also attracted the attention of our American colleagues, who are almost inclined to view the employment of American vessels in this carrying trade as amounting to an infraction of the laws of the United States against the Slave Trade. We are without information as to how the Spanish authorities carry out the provisions of the Royal Decree under which these coolies are being introduced into Cuba, but the regulations seem well calculated to secure the freedom and good treatment of the persons imported, the introduction of such persons under due protection being one of the measures suggested in 1860 by Her Majesty's Government to that of Spain as a remedy against the continuance of the importation of slaves into the Island of Cuba.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 74.

Earl Russell to Her Majesty's Commissioners.

(No. 2.)

Gentlemen, *Foreign Office, March* 31, 1864.

I HAVE received your despatch, Separate, of the 31st of December last, inclosing an account of the contingent expenses incurred by the Mixed British and United States' Court of Justice for the half-year ending the 31st December last, and I have to state to you that I approve of your proposal to divide for the future the expenses of the Mixed Commission and of the Mixed Court into three equal portions, to be charged to the three Governments concerned.

I am, &c.

(Signed) RUSSELL.

No. 75.

Her Majesty's Commissioners to Earl Russell.—(Received April 4.)

(No. 10.)

My Lord, *Cape Town, February 4, 1864.*

WITH reference to our despatch No. 9 of the 6th of January last, we have the honour to report to your Lordship the arrival here of the two vessels which we then informed your Lordship were expected to visit this port, conveying coolies from Hong Kong to Havana.

First, the "Alphonso da Albuquerque," formerly the "Parliament," of 621 tons; numbers shipped 310, deaths 15; owner, José da Silva, of Macao; arrived on the 30th January, and sailed on the 3rd of February.

Second, the "Donna Maria da Gloria" (formerly the "Sarah Chase"), of 592 tons; numbers shipped 291, deaths 30; owner, Francisco Manoel da Cunha, of Macao; arrived on the 31st of January, and sailed on the 3rd of February.

The large number of deaths which occurred on board the latter of these vessels was probably owing to the coolies not being allowed to come on deck, in consequence of several having thrown themselves into the sea shortly after the vessel left Macao.

These shipments were all made in virtue of passports from the Spanish Consul, and from what we have been able to learn, every care seems to have been taken to secure the comfort and good treatment of these coolies.

Mr. Layard inspected the passports of and visited both these vessels, and speaks highly of the care manifested for the comfort of the coolies, who appear to be mostly young persons under twenty-five years of age.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 76.

Her Majesty's Commissioners to Earl Russell.—(Received April 4.)

(No. 11.)

My Lord, *Cape Town, February 4, 1864.*

WE have the honour to transmit to your Lordship a Report of the cases of thirteen dhows adjudicated in the Court of Vice-Admiralty in this Colony on the 3rd instant, and condemned as good prizes to Her Majesty's ship "Ariel."

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 76.

Report of the cases of fourteen Dhows condemned in the Vice-Admiralty Court, on the 3rd of February, 1864, as Prizes to Her Majesty's ship "Ariel."

No. 1. A dhow of 32·49 tons, name and nation unknown, captured on the 8th December, 1862, by Lieutenant Dunlop, while cruizing off Pemba Island, in command of the pinnace and whaler of Her Majesty's ship "Ariel." This dhow was observed about 10 A.M. standing to the northward, and on being chased she put about and ran on shore on the island, where her crew were seen to land, carrying with them the sail. Upon being searched she was found to be without colours or papers, and fully equipped for the Slave Trade, with a large quantity of matting soiled; and from her filthy state she had evidently just been used by slaves.

No. 2. A dhow of 49·74 tons, name and nation unknown, captured on the 11th December, 1862, by Lieutenant Dunlop, while cruising off Pemba Island, in command of the pinnace and whaler of Her Majesty's ship "Ariel." This dhow was observed at 5 P.M. on the 10th of December, 1862, at anchor off Port George, and as the boats neared the crew were observed to desert her. Lieutenant Dunlop, after examining the dhow, proceeded to the island, and requested the headman on the island to acquaint the master of the dhow that he would allow him twelve hours to establish the lawful character of the vessel. On the following day the master not appearing, the headman informed the captor that the dhow was in fact a Northern Arab slaver. Upon examination she was found fully equipped for the Slave Trade, and without colours or papers. She was then taken in tow by Her Majesty's ship "Ariel," for the purpose of being conveyed to Zanzibar, but during the night she made so much water that it became necessary to abandon her, which was accordingly done after she was scuttled.

No. 3 A dhow of $148\frac{1}{204}$ tons, name and nation unknown, captured on the 21st of December, 1862, by Sub-Lieutenant Fellowes, while cruizing off Itzandra, in the Island of Comoro, in command of the cutter of Her Majesty's ship "Ariel." At about 5 P.M. a dhow was observed, crowded with people, standing in for Maroony, and as soon as she saw the cutter she altered her course, and made for Itzandra, and ran on shore, when the

crew, who were distinguished by their clothing, and about 160 naked negroes, evidently slaves, were seen to leap on shore, and escape into the bush.

Upon being boarded she was found without colours or papers, completely fitted for the Slave Trade, and from the filthy state of the slave-deck, appeared to have recently held a cargo of slaves. One slave, a boy, was found, who could not, from his emaciated condition, be carried off with the others.

No. 4. A dhow of $133\frac{6}{95}$ tons, name and nation unknown, captured on the 26th February, 1863, by Her Majesty's ship "Ariel," Commander Chapman, cruizing off Comoro. This vessel was observed about sunset standing towards Comoro, aad having been overhauled, Commander Chapman sent Lieutenant Dunlop to examine her. Upon examination she was found to be without colours or papers, but in every respect fitted for the Slave Trade, and to have on board a crew of eight men, Northern Arabs, two passengers, suspected to be slave-dealers, and four slaves. The crew and passengers were transhipped, at their own request, to a dhow which was in company under French colours, and the slaver were taken to Seychelles, and delivered to the Civil Commissioner of that Settlement.

No. 5. A dhow of $63\frac{6}{95}$ tons, name and nation unknown, captured on the 6th of March, 1863, by Lieutenant Dunlop, in command of the pinnace and gig of Her Majesty's ship "Ariel," cruizing off Pemba Island. This vessel was boarded at sunset lying at anchor in Port George. The captors found the crew in the act of deserting her, and that she was fully equipped for the Slave Trade, with a quantity of mats in a filthy state, and had obviously just held a cargo of slaves. They also found about a dozen muskets, with ammunition in proportion, and forty spears, but no colours or papers.

No. 6. A dhow of 189·888 tons, name and nation unknown, captured on the 8th of March, 1863, by Lieutenant Dunlop, in command of the pinnace and gig of Her Majesty's ship "Ariel," while cruizing off Pemba Island. On the 7th of March Lieutenant Dunlop being with the gig alone, at about 8 A.M. observed a dhow crowded with people, apparently slaves, being hauled in-shore. The crew, between thirty or forty in number, were armed with swords and spears. Lieutenant Dunlop, therefore, thought it best not to overhaul her until the arrival of the pinnace. At daylight the next morning he observed that the dhow had disappeared, but he learned from a legal trader that she had proceeded up a small river, after landing a cargo of slaves. Being reinforced by the arrival of the pinnace, he proceeded with the boats up the creek, and discovered the prize hauled up under a cliff, and upon proceeding to board her she was deserted by her crew. On searching her she was found thoroughly equipped for the Slave Trade, without colours or papers, and presented all the appearance of having recently held a cargo of slaves.

No. 7. A dhow of 115·9688, name and nation unknown, captured on the 14th March, 1863, by Her Majesty's ship "Ariel," Commander Chapman, cruizing off Kissomany point, Monfia Island. This vessel was observed at 3 P.M. at anchor off the point. Upon being boarded, the captors found a crew of six men, Northern Arabs, but neither colours nor papers; a slave-deck was in the course of construction, and in other respects she was fully equipped for the Slave Trade. One hundred and forty-seven dollars were discovered secreted on the persons of the crew. They were taken on board Her Majesty's ship "Ariel," and conveyed to Zanzibar, where they were handed over to His Highness the Sultan.

No. 8. A dhow of 197·8608 tons, name and nation unknown, captured on the 31st March by Her Majesty's ship "Ariel," Commander Chapman, cruizing off Melinda. This dhow was intercepted standing to the northward. Upon being searched, the captors found a crew of twenty men, no colours or papers, a slave-deck laid, a quantity of slave food, three very large water-tanks, one holding at least three tons of water, and the others a ton each, upwards of twenty slave-irons, and nine male negro boys. The master admitted that he was about to proceed to Tola to take in a cargo of 500 slaves. The crew and slaves were then removed, and on the following day a bag containing 300 dollars was discovered on board the dhow. The crew at their own special request were subsequently transhipped to a northern dhow, a legal trader, and the slaves conveyed to Seychelles and handed over to the Civil Commissioner of that Settlement.

No. 9. A dhow of 132·896 tons, name and nation unknown, captured on the 31st March, 1863, by Her Majesty's ship "Ariel," Commander Chapman, while cruizing off Melinda. This dhow was observed standing to the north, whereupon Her Majesty's ship "Ariel" stood towards her, and intercepted her shortly after dark. Upon being searched, she was found fully equipped for the Slave Trade, with no colours or papers, and a crew of eighteen men, Northern Arabs, and seven male slaves. The master admitted that he was bound to the Island of Tola for a cargo of slaves. The crew were then taken to Zanzibar and handed over to His Highness the Sultan, and the slaves subsequently conveyed to Seychelles, and delivered to the Civil Commissioner of that Settlement.

No. 10. A dhow of 47·52 tons, name and nation unknown, captured on the 9th of April, 1863, by Her Majesty's ship "Ariel," Commander Chapman, being in latitude 2° 25′ south and longitude 41° 13′ east.

This vessel was sighted at daylight, chased, and captured. Upon being searched she was found with a crew of eight men, Northern Arabs, but neither colours nor papers, and engaged in the Slave Trade, being thoroughly equipped for the traffic and having 59 negro slaves on board, 32 males and 27 females. The crew and slaves were taken on board Her Majesty's ship "Ariel." The former were subsequently at their own request placed on board a legal trader, and the latter conveyed to Seychelles and delivered over to the Civil Commissioner.

No. 11. A dhow of 120·240 tons, name and nation unknown, captured on the 23rd of April, 1863, by Her Majesty's ship "Ariel," Commander Chapman, in latitude 0° 6′ north and longitude 45° 17′ east. This vessel was sighted at 9 A.M. standing to the northward, and after a chase she hove-to, on a gun being fired. Upon examination, she was found with a crew of nineteen persons, Northern Arabs, with no colours or papers, fully equipped for the Slave Trade. A number of slave-irons and two slaves, a male and female, were also found on board, the latter in a very debilitated state from bad usage, found in a box stowed on the keel, and concealed under several bags of dates.

The crew were transhipped at their own request into a legal trading dhow bound northward, and the slaves subsequently conveyed to Seychelles, and delivered over to the Civil Commissioner.

No. 12. A dhow of 72·09 tons, name and nation unknown, captured on the 22nd day of September, 1863, by Her Majesty's ship "Ariel," Commander Chapman, off Lindy River. This dhow was observed at anchor at the mouth of the river with Arab colours flying. Upon being searched she was found with a crew of eight men, Soori Arabs, and one person who called himself a passenger, a slave-deck partly laid, and the rest of the materials required to complete it on board, and in other respects thoroughly equipped for the Slave Trade. The crew and passengers were put on shore at their own request; no papers were discovered on board.

No. 13. A dhow of 141·34 tons, name and nation unknown, captured on the 26th September, 1863, by Lieutenant Stubbs while cruizing off Keelwa in command of the cutter and gig of Her Majesty's ship "Ariel." At about 5 P.M. on the 25th, the captors observed two dhows hauled in close to the shore in a small river. They then stood off for the night, and early the next morning boarded the first. Upon examination she was found

deserted, with no colours or papers, and fully equipped for the Slave Trade, and to be of Buddeen or Northern Arab build. Upon searching the second (No. 14), a dhow of 72·27 tons, name and nation unknown, they found her also to be of Buddeen or Northern Arab build, completely deserted, fully equipped for the Slave Trade, and without colours or papers.

The tonnage of these vessels was ascertained by admeasurement, after which, with the exception of No. 2, which was taken in tow by Her Majesty's ship "Ariel," and afterwards scuttled, they were at once destroyed as being unfit for a voyage to a port of adjudication.

No. 77.

Her Majesty's Commissioners to Earl Russell.—(Received April 4.)

(No. 12.)

My Lord, *Cape Town, February* 13, 1864.

WE have the honour to transmit to your Lordship a report of the cases of three dhows adjudicated in the Court of Vice-Admiralty of this Colony on the 12th instant, and condemned as good prizes to Her Majesty's ship "Rapid."

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 77.

Report of the cases of three Dhows condemned in the Vice-Admiralty Court, on the 12th of February, 1864, as Prizes to Her Majesty's ship "Rapid."

No. 1. A DHOW of 73·79 tons, name and nation unknown, captured on the 9th of April, 1863, by Lieutenant Dupuis, while in command of the gig and pinnace of Her Majesty's ship "Rapid," at anchor off Manda Bay. This vessel was observed at 5 P.M. standing towards the boats, whereupon she was boarded. The captors had barely time to observe that she was full of people, when a second dhow was observed standing on the same course. Lieutenant Dupuis then directed the crew of the dhow to bring her to an anchor, while he intercepted the other, which upon examination proved to be a lawful trader. On returning to the first dhow he found the crew had beached her. Upon being searched she was found fully equipped for the Slave Trade, deserted by her crew, and with neither colours nor papers..

No. 2. A dhow of 63 24 tons, name and nation unknown, captured on the 25th of April, 1863, by Her Majesty's ship "Rapid," Commander Iago, while cruizing in latitude 1° 19′ north, and longitude 44° 41′ east. This dhow was observed at daylight standing to the northward, but on observing the "Rapid" she changed her course for the land; the "Rapid" then made sail in pursuit, firing large and small arms from time to time. After six hours' chase the dhow was overhauled and boarded. Upon being searched she was found to be of Buddeen build, with a crew of 8 men and 2 passengers, without colours or papers, thoroughly equipped for the Slave Trade, and 42 slaves—36 boys and 6 girls—on board, all, with one exception, of tender age. The crew and passengers were transhipped, at their own request, to a legal trader bound to the North, and the slaves removed on board Her Majesty's ship "Rapid." Forty of these slaves were landed at Seychelles and delivered over to the Civil Commissioner; the other two were sent, for the improvement of their health, to the Cape in Her Majesty's ship "Penguin."

No. 3. A dhow of 71·8 tons, name and nation unknown, captured on the 2nd of December, 1863, by Her Majesty's ship "Rapid," Commander Iago, off Mozambique. This vessel was observed on the 1st of December, standing to the eastward; but before she could be overhauled, night set in and she was lost in the dark, but was again sighted, and overhauled the next day in latitude 14° 53′ south, and longitude 42° 52′ east, the dhow at the time flying Arab colours. Upon being searched she was found actively engaged in the Slave Trade, having 198 slaves on board, of both sexes and all ages, but the greater part being children of tender age, many under the age of 6 years. She was fully equipped for the Slave Trade, with a crew of 18 men, Northern Arabs, and 30 passengers, but no regular papers. On the master being questioned, he produced two documents: one a French clearance for Mozambique to the dhow "Salamti," dated at Nos Bé, the 30th of June, 1863; and the other, a Portuguese clearance for Nos Bé for the Arab dhow "Marra Come," dated at Mozambique, the 9th of November, 1863; but these papers were not found to correspond with the description of the vessel on her course towards Mohilla with a voyage to the port for which the vessel mentioned in the second document was cleared. The captor then took her in tow, and proceeded to Johanna, where she was beached and abandoned, the crew and the passengers being landed at their own request.

At Johanna 191 of the slaves were landed for the benefit of their health; while there 4 died and 2 absconded, and the rest were again taken on board the "Rapid" and brought to Table Bay, where they arrived on the 21st ultimo, and were, with exception of 5, who died on the voyage from dysentery, at once placed in charge of the Curator of Liberated Africans, by whom they will be apprenticed.

The tonnage of these vessels was obtained by admeasurement; after which, with the exception of No. 3, which was abandoned, they were destroyed, being unfit for a voyage to a port of adjudication.

No. 78.

Her Majesty's Commissioners to Earl Russell, No. 13, *March* 15, 1864.

[Acknowledging receipt of Slave Trade information.]

No. 79.

Her Majesty's Commissioners to Earl Russell, No. 14, *May* 18, 1864.

[Acknowledging receipt of Slave Trade information.]

No. 80.

Her Majesty's Commissioners to Earl Russell.—(Received June 29.)

(No. 15.)

My Lord, *Cape Town, May* 19, 1864.

WE have the honour to lay before your Lordship the latest information we have received of the state of the Slave Trade on the East Coast of Africa.

The Slave Trade is still carried on in dhows from places in the vicinity of Mozambique, nominally within the Portuguese territory, but not under control of the authorities. The trade is not very extensive, but it is difficult to suppress it entirely, because these dhows soon learn when Her Majesty's cruizers leave Mozambique, and then slip out in the night, and a day's sail carries them beyond reach.

The Slave Trade from the territory of the Sultan of Zanzibar has received a most important check, owing to his Highness having prohibited the transport of slaves by sea along the coast during the monsoon, and given permission to Her Majesty's cruizers to seize dhows belonging to his subjects if found so employed, and to bring them to Zanzibar for adjudication. In one case this permission has been acted upon by Lieutenant McHardy, of Her Majesty's ship "Penguin," who seized a dhow off Mombas in March last, and gave her up to the authorities at Zanzibar, where she was condemned and destroyed.

The effect of these measures has been that few or no cargoes have been carried this year; slave-vessels are rarely seen; the slave-market is nearly empty, and the piratical Arabs consequently, who used almost, as it were, to take possession of the town at the season, are now few in number and quiet in demeanour. The absence of these Arabs is all the more satisfactory as it has no effect on the commercial prosperity of Zanzibar, except in regard to the Slave Trade.

The scale of importation of slaves into Zanzibar appears to have fallen periodically as follows. The numbers imported during the year ending August 1861, were 19,000; August 1862, 14,000; August 1863, 12,000; and will be probably less this year.

This has naturally led to a corresponding rise in the price of slaves in Arabia, where it averages from 120 to 300 dollars; and as the price at Zanzibar is from 6 to 20 dollars only, the enormous profit will undoubtedly continue to tempt the Arabs to carry on a traffic which is not only time-honoured among them, but even sanctioned by their religion, so that it will still require the utmost vigilance of our cruizers, even if aided by the local authorities at the place of export, to put an end to it.

It is with much pleasure that we learn that the Portuguese authorities at Mozambique, as well as the Sultan of Zanzibar, are doing their part towards discouraging and suppressing the Traffic.

Of the "Engagé Trade" we have heard nothing, and we believe that no vessel engaged in it has of late been met with by any of Her Majesty's cruizers.

Five dhows have been taken by Her Majesty's ship "Orestes," and one by Her Majesty's ship "Penguin," but the cases have not yet been brought in for adjudication.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 81.

Her Majesty's Commissioners to Earl Russell.—(Received June 29.)

(No. 16.)

My Lord, *Cape Town, May* 19, 1864.

WITH reference to your Lordship's despatch No. 1 of the 3rd of February last, relative to the suspected Spanish vessel "*America*," we have the honour to report to your Lordship that this vessel has been detained by Her Majesty's ship "Ariel," and is on her way to Sierra Leone for adjudication.

This vessel and another of the same class named the "Duque de Tetuan" arrived on the East Coast about the middle of last year, ostensibly to procure cargoes of rice, but were so fitted as to be able to carry a cargo of slaves, and little doubt existed amongst the Portuguese authorities and the officers of Her Majesty's ships that they would have taken slaves if a favourable opportunity occurred. They were examined more than once, but nothing was found to justify capture in the opinion of the examining officer, and the "Duque de Tetuan" sailed from Mozambique on the 22nd of January last with a cargo of rice and cocoa nuts for Cadiz.

The "America" also left Mozambique ostensibly to procure a cargo of rice, but was detained by Captain Chapman as above stated. The exact grounds of suspicion we have not been able to learn, but we understand that the principal facts are the quantity of water and a slave-deck. The mate of the "America" was left at Mozambique professedly to take care of some wine, but probably to act as agent for three other Spanish vessels expected on a like speculation, which has, however, ended most unprofitably for the two vessels which preceded them.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 82.

Her Majesty's Commissioners to Earl Russell.—(Received June 29.)

(No. 17.)

My Lord, *Cape Town, May 19, 1864.*

WE have the honour to report to your Lordship that Mr. Waller, one of the gentlemen who accompanied Bishop Mackenzie on the East Central African Mission, has brought to this Colony a party of negroes who were taken under the protection of the Mission on its first establishment, and accompanied the Mission when it retired within the Portuguese territories. Had these negroes all been abandoned there when it was finally decided that the Mission should leave the country, they would necessarily have relapsed into the condition of slavery from which they had been rescued; and it was therefore decided by Dr. Livingstone that they should be brought away and placed where their freedom would be secure. Some arrived with Mr. Waller in the "Pioneer," the steamer attached to Dr. Livingstone's expedition, the others in Her Majesty's ship "Orestes;" altogether they number 42, of whom 28 are boys from 9 to 19 years of age, and 14 are girls and women.

Some correspondence passed between the Colonial authorities and the Commander-in-chief and Mr. Waller, as to the position in which these people stood, which resulted in their being treated in all respects like any other immigrants arriving in the Colony; they were accordingly received from the naval officers by the Collector of Customs at Simon's Town, and by him handed over to Mr. Waller, who lodged them in a building lent to him by the Colonial Government, until such time as he could place them in private families, which has now been done. Persons to whom these people have been confided have engaged to feed and clothe and instruct them, and to put wages for them into the savings' bank until they are sufficiently advanced to be able to shift for themselves; and their interests are to be watched over by the Rev. Thomas Lightfoot, who has for many years been the head of a congregation of the coloured people in this city, and who has kindly consented to become their guardian.

The subject of the removal of these people from their native country in the first instance will be best brought before your Lordship by Dr. Livingstone himself, but we may remark upon some rumours that this was done surreptitiously, and without the sanction of the Portuguese authorities, that any such allegations can hardly be considered worthy of credit when made against a person of Dr. Livingstone's well-known character, and are quite inconsistent with the facts that the "Pioneer" and the "Lady Nyassa" were both for some time at Shire Mouth and Mazaro, and subsequently at Mozambique, and that at all these places it was perfectly well known to the Portuguese authorities that these people were on board, and were about to be taken away by their protectors, and that no complaint or objection whatever was made to their leaving by any of the officials.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 83.

Mr. Layard to Her Majesty's Commissioners, No. 5, August 5, 1864.

[Transmitting Slave Trade information.]

No. 84.

Mr. Layard to Her Majesty's Commissioners, No. 6, August 5, 1864.

[Transmitting Slave Trade information.]

No. 85.

Her Majesty's Commissioners to Earl Russell.—(Received August 26.)

(No. 18.)

My Lord, *Cape Town, June 30, 1864.*

WE have the honour to report to your Lordship that no case has been adjudicated by the Mixed Courts of Justice during the half-year ending this day.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 86.

Her Majesty's Commissioners to Earl Russell.—(Received August 26.)

(No. 20.)

My Lord, *Cape Town, July 21, 1864.*

WE have the honour to inform your Lordship that Mr. Tasker Smith, the Registrar to these Mixed Courts of Justice, has this day left the Colony for England, on the leave of absence granted to him by your Lordship.

Mr. Smith having submitted the name of Mr. Henry Bidwell, the clerk to the British Members of the Mixed Courts, for the appointment of Acting-Registrar, Mr. Bidwell has this day taken the oath of office, required by the Acts 6 & 7 Vic., cap. 53, and 25 & 26 Vic. cap. 40, in the presence of ourselves and our Portuguese and American colleagues, and entered upon his duties as Acting-Registrar, subject to your Lordship's approval of the appointment.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 87.

Her Majesty's Commissioners to Earl Russell.—(Received August 26.)

(No. 21.)

My Lord, *Cape Town, July 21, 1864.*

WE have the honour to inform your Lordship that Mr. Pringle, the Judge in this Mixed Court of Justice, on the part of the United States of America, has this day left the Colony on leave of absence for six months. In compliance with Article 9, of Annex B to the Treaty, Mr Pringle's place is now filled by Mr. Avery, the Arbitrator on the part of the United States.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 88.

Earl Russell to Her Majesty's Commissioners.

(No. 7.)

Gentlemen, *Foreign Office, August 30, 1864.*

I HAVE received your despatch No. 20 of the 21st ultimo, reporting the departure from Cape Town, on leave of absence, of Mr. Tasker Smith, the Registrar

of the Mixed Commission Courts, and recommending the appointment of Mr. Henry Bidwell, the Clerk to the British Members of the Commission, as Acting-Registrar during Mr. Smith's absence; and I have, in reply, to acquaint you that I approve this arrangement.

I am, &c.
(Signed) RUSSELL.

No. 89.

Mr. Layard to Her Majesty's Commissioners, No. 8, September 5, 1864.

[Transmitting Slave Trade information.]

No. 90.

Her Majesty's Commissioners to Earl Russell.—(Received September 26.)

(No. 22.)

My Lord, *Cape Town, August 15, 1864.*

WE have the honour to transmit to your Lordship a Report of the cases of 6 dhows, this day adjudicated in the Court of Vice-Admiralty of this Colony—five of which were condemned as good prizes to Her Majesty's ship "Orestes," and one to Her Majesty's ship "Penguin."

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 90.

Report of the cases of six dhows condemned in the Vice-Admiralty Court, on the 15th of August, 1864.

No. 1. A DHOW of $18\frac{9}{4}$ tons, name and nation unknown, captured on the 1st of August, 1863, by Captain Gardner, of Her Majesty's ship "Orestes," in the channel of Zanzibar.

Upon being searched, she was found to be without colours or papers, fully equipped for the Slave Trade, with a crew of 8 men and 62 slaves, 30 men, 10 women, 11 boys, and 11 girls, all more or less in a state of nudity, and stowed on slave-mats laid in the hold,

The crew were handed over to His Highness the Sultan of Zanzibar, who, on investigation, discovering that they had been guilty of murder as well as kidnapping, caused one of them to be executed and the rest to be imprisoned.

The slaves were taken in Her Majesty's ship "Orestes" to Seychelles and delivered to the Civil Commissioner, with the exception of one boy, who at his own request was brought to Simon's Bay.

No. 2. A dhow, $73\frac{1}{5}$ tons, name and nation unknown.

No. 3. A dhow, $84\frac{9}{57}$, name and nation unknown.

No. 4. A dhow, $58\frac{1}{52}$, name and nation unknown, captured on the 22nd August, 1863, by Acting-Lieutenant Lang, in command of the launch and cutter of Her Majesty's ship "Orestes." At 11 A.M. the boats put into Port Cockburn, Pemba Island. When there, three dhows, which had been at anchor, on seeing the approach of the boats, were ran ashore. As the captors neared they saw the crews, who were distinguished by their clothing, and a number of naked negroes, evidently slaves, quitting the vessels and making for a neighbouring hill, where they collected together.

Upon boarding the first, they found she was scuttled, without colours or papers, and fully equipped for the Slave Trade.

Upon boarding the second, they found her also scuttled and half full of water, with neither colours or papers, and fully equipped for the Slave Trade.

The third was found fast aground. also without colours or papers, and with a large quantity of slave-mats, which from their filthy state had evidently just been used for slaves, and she was in other respects completely fitted for the Slave Trade.

No. 5. A dhow of $58\frac{1}{12}$ tons, name and nation nnknown, captured on the 23rd of August, 1863, by Lieutenant Lang, in command of the launch and cutter of Her Majesty's ship "Orestes." At about 6 P.M., when the captors put into Port George, Pemba Island, they observed a dhow lying high and dry on the beach. Upon examination she was found wholly deserted, without colours or papers, with a temporary slave-deck laid and completely fitted for the Slave Trade.

No. 6. A dhow, of $38\frac{9}{2}$ tons, name and nation unknown, captured on the 15th of April last, by Her Majesty's ship "Penguin," Lieutenant M'Hardy, while at anchor off the Island of Ukomby. This vessel was observed at daylight at anchor under the land, whereupon Lieutenant M'Hardy proceeded in his whaler to ascertain her character. Every effort was made by those on board to escape capture, but at half-past 7 Lieutenant M'Hardy succeeded in securing her. Upon being searched she was found without colours or papers, with a crew of thirteen men, Arabs, and five passengers, Soories or Northern Arabs, and thoroughly equipped for the Slave Trade. The crew were landed at Zanzibar.

The tonnage of these vessels was ascertained by admeasurement, after which they were destroyed, as being unfit for a voyage to a port of adjudication.

No. 91.

Mr. Layard to Her Majesty's Commissioners, No. 9, October 15, 1864.

[Transmitting Slave Trade information.]

No. 92.

Her Majesty's Commissioners to Earl Russell.—(Received October 24.)

(No. 23.)

My Lord, *Cape Town, September 15, 1864.*

WE have the honour to acknowledge the receipt of your Lordship's despatches Nos. 5 and 6 of the 5th of August last, relative to the movements of the steamer "*Ciceron*" and the schooner "*Fortuna.*"

In obedience to your Lordship's instructions, we have transmitted the information respecting the "*Fortuna*" to the Commodore on this station.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 93.

Her Majesty's Commissioners to Earl Russell.—(Received October 24.)

(No. 24.)

My Lord, *Cape Town, September 17, 1864.*

WE have the honour to transmit to your Lordship a Report of the cases of 3 dhows, adjudicated in the Court of Vice-Admiralty of this Colony, this day, and condemned as good prizes to Her Majesty's ship "Ariel."

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 93.

Report of the cases of three Dhows condemned in the Vice-Admiralty Court, on the 17th September, 1864.

No. 1. A dhow of 70⅝ tons, name and nation unknown.

No. 2. A dhow of 40⅝ tons, name and nation unknown, captured on the 20th of April, by Lieutenant Buckle while cruizing in the cutter of Her Majesty's ship "Ariel," in latitude 8° 0′ south, and longitude 39° 20′ east. The first of these vessels was observed at 9 A.M. standing to the northward; on seeing the cutter she wore and bore up for the mainland, and at a quarter to 10 hove to for the purpose of communicating with another dhow likewise running north. The two vessels then made all sail, but after 30 miles chase, finding the captors rapidly gaining upon them, ran into the Sufigi River, where they were beached and deserted by their respective crews. During the chase the decks of both vessels were observed to be crowded with persons supposed to be slaves. Upon being searched they were found to be fully equipped for the Slave Trade, without colours or papers, with slave decks ready laid, covered with mats in a soiled and dirty state.

Shortly after they had been boarded, a native from the shore brought on board certain documents purporting to be the ships' papers, namely, two Arab passes and two certificates of registry granted by the British Consul at Zanzibar, one to the British-owned vessel "Iogaro," Abdulla master, and Abdulla Ramjee owner, dated the 4th of February, 1864, and the other to the British-owned vessel "Jugo," Abdullah master, and Abdullah Ramjee owner, dated 6th of August, 1862, but as these certificates mentioned neither the tonnage nor the description of the vessels for which they had been issued, it was not possible to ascertain whether they really belonged to the vessels captured.

No. 3. A dhow 49⅝ tons, name and nation unknown, captured on the 18th of May by Her Majesty's ship "Ariel," in latitude 6° 4′ south, and longitude 39° 10′ east. This dhow was observed standing to the northward, whereupon Commander Chapman, who had received previous information as to her character from the British Consulate at Zanzibar, despatched a boat which intercepted her and brought her alongside the "Ariel." Upon being searched she was found to be without colours or papers, with a crew of six men, Souries, and completely fitted for the Slave Trade. The crew were landed at Zanzibar and handed over to his Highness the Sultan.

The tonnage of these vessels was ascertained by admeasurement, after which they were destroyed, being unfit for a voyage to a port of adjudication.

No. 94.

Her Majesty's Commissioners to Earl Russell.—(Received October 24.)

(No. 25.)

My Lord, *Cape Town, September 20, 1864.*

IN compliance with your Lordship's instructions, we have the honour to lay before your Lordship our Report upon the Slave Trade on the East Coast of Africa during the past year.

We regret that we cannot report any falling off in the export of slaves for the Spanish West Indies; 3 vessels have been upon the coast for this purpose, and, although much delayed and impeded in their proceedings by Her Majesty's ships, 2 of them, the "*Duque de Tetuan*" and a brig, name unknown, have escaped with full cargoes, shipped at or near Inhambane; the third, named the "*America*," belonging to the same owner, at Cadiz, has been detained by Her Majesty's ship "Ariel," and, although it may be difficult for the captors to produce proof sufficient to secure her condemnation, it may be hoped that her detention will tend to check the traffic.

The trade to the North West Coast of Madagascar also still continues, principally for the supply of slaves to Nosbeh and Mayotta, whither they are shipped as passengers or engagè.

From the neighbourhood of Zanzibar, and from ports on the mainland to the northward of Cape Delgado, the trade is carried on as briskly as ever to the Persian Gulf and Arabia, as well as for the legal importation into Zanzibar. The Order of the Sultan, by which the carrying of slaves between ports in His Highness' dominions was forbidden between January and May, with a view to prevent their being taken to the Persian Gulf, under pretence of being destined for Zanzibar, has, we fear, not diminished the numbers actually taken to those ports, while it has greatly added to the sufferings undergone by the unfortunate negroes on the voyage, for the dhows are very much overcrowded during the legal seasons—some, and those not of the largest class, carrying as many as 350 slaves. A great number of slaves are taken to Pemba Island, their ultimate destination also being for shipment to the Red Sea or Persian Gulf in August and September, when the monsoon is over. Slaves are also still shipped from Zanzibar, early in the monsoon, in spite of the efforts of His Highness the Sultan, who we are glad to report, is doing his utmost to suppress the traffic. Among the measures for this purpose in contemplation, is a better system of passes, under which a document, printed in Arabic and English, will be furnished to each vessel for each voyage; hitherto, as your Lordship may be aware, from the Reports which we have had the honour to transmit to you of cases condemned in the Vice-Admiralty Court, even where ship's papers have been found, they have been so imperfect as to be of no service to the Court in the investigation of the case.

Twenty-nine dhows have been captured, by Her Majesty's cruizers, 17 have been condemned in the Vice-Admiralty Court of this Colony, as prizes to Her Majesty's ship "Ariel," 3 to Her Majesty's ship "Rapid," 1 to Her Majesty's ship "Penguin," and 5 to Her Majesty's ship "Orestes," 2 taken by Her Majesty's ship "Rapid" have not yet been brought in for adjudication, and 1 seized by Her Majesty's ship "Penguin" was taken to Zanzibar, where she was condemned and destroyed.

Three hundred and eighty-three slaves were taken out of these dhows, 194 of whom were landed at Seychelles, and delivered over to the Civil Commissioner of that settlement, and the rest, with exception of 11, who died on the voyage, were brought to Table Bay, and placed in charge of the Curator of liberated Africans.

Of the three vessels, to the movements of which your Lordship has called our attention during the past year, none have arrived at this port, but the "*America*" has been captured by Her Majesty's ship "Ariel," and sent to Sierra Leone for adjudication.

The 32 vessels, hereinbefore alluded to, as known to have been engaged in the Slave Trade, form, we believe, but a small portion of those engaged in the traffic that is carried on from the East Coast of Africa; and we venture again to repeat our conviction that no serious impression will be made upon the traffic unless the number of Her Majesty's ships on this station is much increased—there are at present only three available for this vast extent of coast.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 95.

Her Majesty's Commissioners to Earl Russell.—(*Received November* 23.)

(No. 26.)

My Lord, *Cape Town, October* 11, 1864.

WE have the honour to acknowledge the receipt of your Lordship's despatch No. 8 of the 5th of September last, relative to the movements of the Spanish schooner "*Fortuna*," suspected of being about to engage in the Slave Trade.

We beg to thank your Lordship for this communication.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 96.

Her Majesty's Commissioners to Earl Russell.—(*Received November* 23.)

(No. 27.)

My Lord, *Cape Town, October* 8, 1864.

WE have the honour to acknowledge the receipt of your Lordship's despatch No. 7 of the 20th of August last, informing us that your Lordship has been pleased to approve of the appointment of Mr. Henry Bidwell as Acting Registrar to this Mixed British and Portuguese Commission during the absence of Mr. Tasker Smith.

We have, &c.

(Signed) GEO. FRERE.
E. L. LAYARD.

No. 97.

Earl Russell to Her Majesty's Commissioners, No. 10, *December* 9, 1864.

[Acknowledging Slave Trade Information.]

LOANDA.

No. 98.

Her Majesty's Commissioner to Earl Russell.—(*Received February* 20, 1864.)

(No. 50.)

My Lord, *Loanda, December* 28, 1863.

I HAVE the honour to transmit a translation of the Judgments rendered by the Tribunals of the 1st and 2nd Instance on the trial of the crew of the Portuguese brigantine "*Laura*," condemned by the Court of Mixed Commission established in this city. The appeal of the Procurador Regio to the Supreme Court at Lisbon against the verdicts of acquittal is annexed to the Judgments. The documents are written in language of so technical a nature that I have been compelled to request the assistance of Senhor Peixoto to translate them. The translation gives, I believe, a tolerably intelligible interpretation, but I have thought it advisable to forward certified copies of the original Judgments.

The decisions of the Tribunals in the proceedings against the crew and passengers of the launch "*E*" are of a still more technical character, and more difficult to translate. I have not yet succeeded in obtaining a satisfactory interpretation of many passages which are obscure in the original, but I will by the first opportunity have the honour of forwarding the best translation that with the assistance of Senhor Peixoto I can prepare.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 98.

Judgment, and Appeal of the Procurador Regio, in the case of the Crew of the brigantine "Laura."

(Translation.)

THE witnesses examined in the present cause and other proceedings implicate none of the defendants or bring any charge against them; whereas not one of the deponents, numbering twenty, produced by the Procurador Regio has knowledge of the crime in its essence imputed to the defendants, nor of any circumstance concerning the same, some of them vaguely speaking of another distinct fact, that of the prize, and this in consequence of having seen the brigantine "*Laura*" entering this port as a prize to a British cruizer, and from having read the Judgment as published in the official "Boletim" of this Provincial Government.

With respect to this condemnatory Judgment awarded by the Mixed Commission Court, it cannot convince this Criminal Court of the criminality of the defendants for the following reasons:—

The Mixed Commission Court forms an exceptional Tribunal that adjudges and condemns, not by the forms and general principles of the law of the country, but by the principles and stipulations of the Treaty of the 3rd of July, 1842 (ibid., Article VII), principles and stipulations very special, restrictive, and exceptional to common law according to the said Treaty. The master, mate, crew, and passengers found on board any vessel condemned as a good prize are immediately placed at the disposal of the Government of the country under whose flag they were sailing at the time of capture, in order to be tried and punished according to the laws of that country (ibid, Article XII). Consequently in the present case the general forms and principles of the Portuguese Penal Code are to be observed in regard to the defendants, and it is according to these rules that they are to be tried and sentenced; but as it is not admitted by criminal law to classify as crime from mere analogy, induction from parity, or "maioridade de rasão," it being always required that the elements essentially constitutive of crime should be proved (Penal Code, Article 18), the defendants cannot in face of these principles and in presence of the proceedings be considered as convicted of the crime of slave-dealing for want of proof or legal indictment before the common forum of criminal law.

I therefore adjudge the said defendants to be restored to liberty, their note of criminality to be made void, and this to be intimated to the Procurador Regio.

Loanda, May 6, 1863.

(Signed) JOAO CANDIDO FURTADO D'ANTAS.

Sentence of the Relação.

It is adjudged in the session of the Court, &c., that the appellant was not aggrieved as appears by proceedings, whereas the witnesses produced have not deposed to any circumstance which might lead to the suspicion that the

defendants intended to be engaged in the Slave Trade, some going so far as to say that upon survey of the brigantine "*Laura*" they found no grounds of suspicion to that effect, and as regards the investigatory report as it is seen that there were taken into consideration several circumstances which appear immaterial in the opinion of this Court, and which it cannot consider as indicative of the crime of Slave Trade, such as for having carried from Havana to the River Congo a cargo of provisions which had been dispatched for St. Thomas', and for the reason of the captain and mate remaining on shore sick in the Congo, when in a few hours they might come to Loanda in a steamer with a surgeon on board and meet every resource, because for these acts he is only responsible to the parties interested in the vessel and her cargo, but it cannot be said that they have anything to do with the crime of Slave Trade, neither can the fact of the master having entrusted his defence and that of the vessel to a person who has been engaged in the said Traffic be of any weight, as the character and antecedents of the attorney have nothing to do with that of his constituent, nor with the right which may be due to him. And as for the existence on board this vessel of a large stove they do not also consider it an object of suspicion, as those pointed out in No. 2 of Article IX of the Treaty of the 3rd July, 1842, celebrated between Portugal and England, for what is therein considered as an object of suspicion is a boiler of extraordinary dimensions or other cooking apparatus that may substitute it, in which case it is not the stove, which after all is nothing more than a kitchen; and in regard to the flying-deck for it to be considered an object of suspicion, according to No. 2 of the said Article, the circumstance alone of its existence on board any vessel is not sufficient, it must be larger than the common one usually on board vessels employed in licit commerce as it is declared in said number of that Article. Therefore they dismiss the appeal without costs as coming from the Procurador Regio.

Loanda, June 3, 1863.

(Signed) FIGUEREDO.
JOAQUIM GUEDES.
GUEDES GARRIDO.

Appeal against this Judgment.

This appeal against the Judgment awarded by the Court of Relação of this district confirming the sentence of acquittal of the prisoners of the brigantine "Laura," that had been adjudged as a good prize by the Mixed Commission in virtue of the Treaty of the 3rd July, 1842, is now taken before the Supreme Court.

According to this Treaty and the Decree of the 14th September, 1844, the condemnatory Judgments of the Court of Mixed Commission and of the Tribunal de Prezas are sent with the prisoners to the Criminal Court, and serve as an indictment. Those Judgments contain, therefore, lawful presumption that the defendants navigating in the vessels condemned by them are liable to, and upon them fall the suspicions pointed out in the law of being engaged in the Slave Trade. The means by which the Mixed Commission and Tribunal de Prezas proceed to verify if in the captured vessels are found those objects, and the circumstances which, although before the Common Criminal Court, merely constitute suspicion of the Traffic, are, nevertheless, by virtue of the Treaty and the Decree of the 10th of December, 1836, and that of the 14th of September, 1844, considered as sufficient proofs for the condemnation of the vessel as engaged in the Slave Trade; such means are much more minutely and scrupulously observed in that Court to ascertain and obtain evidence of such proofs than in the preparatory and summary process to which the said Judgments serve as *corpo de delicto;* and besides this, those summary inquiries are no more than the repetition of the same depositions which had been the base of those Judgments, bearing in consideration not only that evidence, but the ship's papers, surveys made by proper persons, and several other circumstances. Now if the sentence condemning the vessel had not in itself, or did not constitute proof of suspicion for the preparatory proceedings against the prisoners, it would follow from this the absurdity that the thing material, insensible, and incapable of offence, such as the vessel, would suffer condemnation, as the vehicle or receptacle of the slave speculation, and would consequently be driven on shore and broken up, while the people who navigated and conducted her might, before the Criminal Court, be free from all suspicion of being engaged in such Traffic.

We have it for us that the law intending that such Judgments should serve as indictment for the preparatory proceedings in the Criminal Court before which the defendants are taken, had in view that they should, from their nature, afford sufficient proofs for the conviction, and that only by further proceedings should they be able, by clear and satisfactory proof, to destroy those indications and presumptions which, although serving only for committal in the Criminal Court, are before the Mixed Commission considered as sufficient for the condemnation and confiscation of the vessels containing those objects which by law constitute such indications.

The sentence is based on an expression in the Treaty, where it is said that the defendants are to be prosecuted and tried according to the laws of the respective nation, which undoubtedly refers to the form of proceedings, and to the penalty, but not that they should alter the intention and meaning of the law that the sentence of condemnation of the prize should contain and bear in itself the proofs for the prosecution in the preparatory proceedings of the Criminal Court.

The sentence, judging likewise of the objects of suspicion, as not acknowledging that their proof is already implied in the sentence of condemnation of the vessel, declared that in the dimensions of the stove and of the flying deck there were not such reasons of suspicion which, besides appearing to us not to be in good law (a point subject to the decision of that Court) we believe to be incorrect in view of the denomination of boards or planks and of cooking apparatus contained in the dispositions of the said Treaty, Article IX, Nos. 2 and 8, and to the list of Articles additional to the Decree of the 10th December, 1836.

For the reasons exposed, and principally for the supplement which we implore from the respectable Supreme Court, we hope to see annulled the Judgment appealed against in order that the prisoners of the brigantine "*Laura,*" condemned as a good prize by the competent Tribunal, may be committed.

(Signed) CARLOS BOTELHO DE VASCONCELLOS,
Procurador Regio in the Court of Relação at Loanda.

No. 99.

Her Majesty's Commissioner to Earl Russell.—(Received February 20, 1864.)

(No. 51.)
My Lord, *Loanda, December 31, 1864.*

I HAVE the honour to report that no case has been brought for adjudication before the Court of Mixed Commission established in this city during the half-year ending this day.

I have, &c.
(Signed) W. VREDENBURG.

No. 100.

Her Majesty's Commissioner to Earl Russell.—(Received February 26.)

(No. 1.)
My Lord, *Loanda, January 8, 1864.*

I HAVE the honour to transmit a translation of the Judgments of the Courts on the trial of the crew and passengers of the launch "*E.*"

I have found these documents, in consequence of the technical language in which they are written, exceedingly difficult to translate, and have thought it advisable to forward certified copies, in Portuguese, of the original Judgments by the proper officer. One passage in the Judgment of the 1a Instancia is exceedingly obscure, so much so that even the President of the Court of Relação, whom I requested to explain it to me, was unable to give a satisfactory interpretation, and as the Judge who drew up the paper is no longer here I was unable to refer to him. I have marked the passage to which I refer with a line in the margin. The meaning I apprehend to be, that the passport having been granted to proceed to the Congo, on the arrival there of the person to whom it was given ceased to be an official document, and any subsequent falsification was simply a useless act, without any criminal character. Such might be the case *quoad* the Portuguese authorities, and had the person been tried for falsifying a passport it might be a good reason for acquitting him; but he was, on the contrary, tried for being engaged in the Slave Trade, and the argument, so far from being in his favour, was much against him, for a person does not alter a useless document without a motive, and the motive in this case was clearly to mislead the Commanders of any of Her Majesty's ships into whose hands the passport might fall.

The Judgment of the Court of Relação was not given on the merits of the case, but on the ground that the appeal had not been lodged within the time required by law.

The deputy of the Procurador Regio having stated publicly that he intentionally omitted to appeal because he considered the condemnation of the vessel iniquitous, the Governor-General immediately suspended him.

No practical result can ensue from the appeal, either in this case or that of the "*Laura*," as Senhor Miranda, the principal offender, and owner of the launch "*E*," is dead, and the crews of both vessels dispersed.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 100.

Judgments of the Courts of the First and Second Instancia on the Trial of the Crew and Passengers of the launch "E," *and Appeal of the Procurador Regio to the Supreme Court in Lisbon.*

(Translation.)

OWING to the impossibility of obtaining the evidence of the two witnesses mentioned by the first and seventeenth, in consequence of their being in places where there are no authorities to proceed to such inquiries, and because the circumstance to which they can depose is not essential, as appears by the other depositions and the contents of the process, and having in view the Decree of the 2nd July, 1848, which obliges me to close the inquiries within thirty days, I now conclude them, and see from the charges made and other proceedings that no offence is proved against the prisoners belonging to the crew and Cabenda men of the launch "*E*," nor against the passengers Manoel Martins Barboza and Francisco Antonio Pereira de Lemos, nor against the owner of the said launch, whoever he may be, of being engaged in the Slave Trade on the high seas, or of connivance therein; whereas in view of the Decrees of the 10th December, 1836, and of the 14th December, 1854, Penal Code Article 18, and other analogous laws, and of the circumstance that the indictment itself implies not necessarily the existence

of such crime in the case of the launch "*E*," but a possibility or suspicion of it, no crime has been committed, and the inquiries do not point out any guilty person. Neither does the falsification of the official document (the passport) prove culpability against any of the prisoners according to the examination F and the inquiries; and the circumstance of that document being a passport to proceed simply to the Congo not having been observed to be falsified by the police authorities when taken from this port should not be disregarded; and there being in the Congo no authority to receive it, it may be considered an official document of that description on the return of the passenger who took it to the Congo, but to which no official or political authority was attached for the return, and therefore a useless paper existing in the passenger's trunk without any character, as there is not and was not any person in the Congo to receive it, a circumstance which, according to the cited Article 18, is not considered a crime unless it be proved that those three words were unduly inserted at the time when the paper was an official passport for the purpose of enabling the passenger to proceed to the Congo.

In accordance, therefore, with Article 996 of the "Novissima Reforma Judicial" I adjudge that the said prisoners of the launch "*E*" be released from prison and restored to their liberty, and that this be notified to both parties, who may appeal, if they wish, in the terms of the law.

Loanda, January 15, 1863.

(Signed) LUIS CARLOS GUVEIA DE MIRANDA.

Judgment of the Court of Relação.

It is adjudged in session of the Court, &c., that the appellant was not aggrieved by the sentence against which he appeals. Whereas the appellant, wishing to appeal against the sentence of acquittal, only gave notice after the expiration of the peremptory and fatal delay of five days fixed for such appeals by Article 996 of the "Novissima Reforma Judicial;" nor can he take advantage of the "restituição in integrum," nor of the argument that he pretends to found on the Decrees of the 10th December, 1836, and of the 14th September, 1844. Whereas as regards the "beneficio de restituição" granted to minors, it is certain that it is also due to the State (L. 4, "Cod. quibus ex Causis Majores vertit," e L. 3 "Cod. de Jure Reipublicæ"), but only in such cases as it is accorded to minors, and to them such benefit is denied in prosecutions for penalties; and to repeat the Judgment for injuries ("e para repetir o juizo das injurias") when once omitted or lost, the present case, as clearly expressed in L. 37, § 1, tit. "De Minorib.," and L. 18 "Quibus ex Causis Majores vertit;" and this is the law in vigour in the kingdom, as attested by Febo, part 2, avert. 139; Guerreiro, Tr. 3, L. 5, cap. 11; 181 Lima a Ord., L. 4, tit. 79, § 2, N. 150; and Silva a Ord., L. 3, tit. 41, prin. N. 26; the whole having been recently acknowledged and well demonstrated by the Procurador da Corva in the Circular Order No. 410 of the 22nd August, 1850, charging the Procuradores Regios to impress on their deputies the necessity, on their personal responsibility, of always presenting their appeals within the lawful term when there are just grounds for so doing.

And as regards Article 21 of the Decree of the 10th December, 1836, declaring that there is no prescription for the special cognizance of the crime of Slave Trade and application of the penalties, this can only be understood in the sense that the proceedings can be commenced at any time, but was never intended to imply that the time fixed by the laws for the prosecution of appeals after the commencement of proceedings was unlimited, nor yet for claiming the said benefit because of such proceedings being opposed to the common rules of right, or, in other terms, that benefit being a privilege, its application can only be confined to such cases and in the terms expressly determined by law: "quod contra rationem juris introductum est non est producendum ad consequentiam," L. 141 de Reg. juris E. do D of the 14th September, 1844, and § 4 of Article 353 of N. R. Judicial, imposing on the public prosecutor the obligation of appealing against all Judgments in cases of contraband. It can only follow from this, that if he does not appeal he will be responsible for neglect of duty, but it does not follow that the term that the law declares to be fatal shall cease to run, and the sentence come into force after its expiration; otherwise the law would have so stipulated, as it did in the case of condemned criminals, and not in favour of the public service.

Therefore we reject the present appeal, without costs, the public prosecutor being exempt therefrom.

Loanda, May 23, 1863.

(Signed) FIGUEIREDO.
J. GUEDES.
FURTADO D'ANTAS.

Appeal of the Procurador Regio to the Supreme Court, Lisbon.

The present appeal is submitted to the Supreme Court, there to have decided the points in controversy, that is to say, whether in criminal cases the "restituição" for lapse of time belongs or not to the State. The Judge in the First Instance, as well as the sentence in this Court of Relação, pretend that the intention of Article 683 of Nova Reforma Judicial does not apply to criminal cases, the which coming under the title of general resolutions we believe there is no reason to exclude its application in either of the two cases, whether in the cases of legal impediment being proved, or the "beneficio de restituição" being based on law; thus it is clear that it is not a question of "restituição in integrum" for cause of injury, but of "restituição" for the appeal for lapse of time. We are evidently in the second of these alternatives, as it is not a case in which it is necessary to prove legal impediment, but one of invoking the benefit of a right in our opinion belonging to the State, of interposing appeals either in civil or criminal cases. The application of Roman texts to deny the State such "restituição" in criminal matters appears to us to be twisting and restricting those laws too much, in which not a hint appears which may authorize arguments of such a nature. We consider as very judicious the reasons set forth in the note to the cited Article of the "Reforma," from which we conclude that this point was considered at the bar as received, and that only then was the question opened and a doubt raised. We find of great weight the reason with which the learned commentator ends the said note, "that whatever amount of favour may be shown to criminals in criminal matters, their private interest should yield in public crimes to the general welfare of society;" and in truth it is repugnant to our feelings to see a criminal frequently atrocious and inhuman more favoured than public order and the common good, which depends much on not allowing criminals to leave the tribunals unpunished and arrogant, having taken advantage for their success of a casualty or omission, which should not in good reason be used to the prejudice of the State and society.

Your Majesty will decide which is most just and right.

The Procurador Regio of the Court of Relação, Loanda,

(Signed) CARLOS BOTELHO DE VASCONCELLOS.

No. 101.

Her Majesty's Commissioner to Earl Russell.—(Received March 29.)

(No. 2.)

My Lord, *Loanda, January* 10, 1864.

I HAVE the honour to forward the joint Report which, in conformity with Article XI, Annex B, of the Treaty with Portugal for the suppression of the Slave Trade, has been prepared by the Portuguese Acting Commissioner and myself for transmission to our respective Governments.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 101.

Report of the Mixed Commission for the year 1863.

THE British and Portuguese Mixed Commission established in the city of Loanda has the honour, in conformity with Article XI, Annex B, of the Treaty of the 3rd July, 1842, celebrated between Great Britain and Portugal for the suppression of the Slave Trade, to present the following report of all cases which have been brought before it for adjudication between the 1st October, 1862, and the 31st December, 1863.

1. The Portuguese launch "*E;*" the black José Cabinda being master, proceeding from the Congo with 5 blacks on board, consisting of 1 man, a boy 14 years old, 2 women, and a girl of 8 years, the whole unprovided with passports.

This launch was detained on the 2nd November, 1862, about twelve miles to the south of Mangue Grande, by Commander Sholto Douglas, of Her Britannic Majesty's ship "Espoir," and brought before this Court for adjudication on the 4th of that month.

The principal grounds on which Commander Douglas detained the launch were the efforts that were employed to escape, oars being used as well as sails; there being 5 slaves on board without passports, and a large quantity of provisions not manifested, being more than was necessary for the subsistence of the crew, and consisting of beans, farinha, ground nuts, &c.; and finally suspecting that the launch, from the course she was steering and her manœuvres, was bound to the notorious slave-port Mangue Grande, while, on the contrary, the owner and crew said she was bound to Loanda. There were in the launch, besides the slaves and nine Cabindas composing the crew, two Europeans, who came as passengers; one of whom, Manoel Martins Barboza, declared that he was owner of the launch, the other, Antonio Pereira de Lemos, stated that he was owner of the cargo.

The captor delivered to this Commission all the papers, documents, and letters found on board, with an inventory of the cargo, money, &c. In session of the 7th November he ratified on oath his declaration of capture. The usual notices were issued, and in due time the two passengers appeared and appointed a proctor to act on their behalf. The captor also appointed a proctor, and the proceedings commenced.

The evidence of the captor was taken on oath in the session of the 8th November, and in subsequent sessions the evidence of the passengers, the crew, and the slaves was received.

The Commission having thought it necessary to open certain letters found on board intimated to the persons to whom they were addressed that they should appear on the 14th to assist at the opening of the same.

Some of them appeared in person, and presented a written protest which the Commission declined to receive; they then retired and the letters were opened in their absence.

On the 17th November the Commission ordered a survey on the launch and cargo; and the 26th being appointed for giving judgment, the proctors of the parties attended and addressed the Court, and judgment was given condemning the launch "*E*" as good prize, together with her cargo and all articles found on board. The prisoners were delivered to the Portuguese authorities, and certificates of freedom given to the slaves.

An incident occurred during the proceedings that this Commission think advisable to mention. In a despatch of the 11th November the French Consular Agent in this city claimed, on behalf of a Frenchman residing in the Congo, an amount of more than 2 contos of reis, which he stated were the property of the Frenchman, and had been entrusted to Pereira de Lemos for conveyance to Loanda. The Commission replied that in due time they would take his claim into consideration, and ordered it to be annexed to the proceedings. The launch "*E*" having been subsequently condemned, a copy of the Judgment was sent to the French Consular Agent.

2. The Portuguese brigantine "*Venus*" was detained on the 2nd February by Lieutenant-Commander Allingham, of Her Britannic Majesty's ship "Antelope," and submitted to the Mixed Commission on the 4th of that month.

This vessel had no slaves on board, but was suspected by the captor of being engaged in the Slave Trade for the following reasons:—

First. Because, though bound from Havana to Loanda with a general cargo, the captain would neither show his clearance from the Custom-house at Havana, nor his log-book, and the papers that were found did not appear legal. Among other irregularities it was observed that the name of the captain was not the same in different papers, nor even his own signature: in some papers he was called Antonio Pinto da Souza Carvalho, in others Pinto; in others this was substituted by Perito.

Secondly. Because the captain was recognized as having been formerly mate of a notorious slave-ship named "*Ilha da Cuba,*" which sailed under the American flag.

Thirdly. Because the ship had aft a flying deck, separated by a partition.

And lastly. Because when she was seen she was going towards the Congo, instead in of the direction of Loanda, which was the port of her nominal destination.

The Commission met on the 6th February, and received the evidence on oath of the captor, who also ratified his declaration of capture. The usual notices were issued, calling on the parties interested to appear before the Commission in eight days. The captain also appeared, with a certain Don Diogo Huerta, who claimed to be the owner of the cargo. They appointed a Proctor, as did the captor.

A survey was held on the ship and cargo, the latter consisting of rum, rice, and various small articles. The

proceedings followed the usual course, and on the 23rd of the same month the Proctors of the parties addressed the Court for their respective clients, and the Court declared the "*Venus*" a bad prize, and ordered that she and her cargo should be restored to their owners, but without any right to indemnity, in consequence of the irregularities in the papers, especially the want of uniformity in the name of the captain, which led the captor into error, and induced him to detain the ship, and bring her before the Mixed Commission.

3. The Portuguese brigantine "*Laura*," captured by Commander Hoskins, of Her Britannic Majesty's ship "Zebra" on the 13th of February while at anchor at Porto da Lenha, in the River Congo, and brought before this Commission on the 24th of that month.

No slaves were found on board this ship, but the captor gave the following reasons for detaining her:—

That the papers presented by the person who said he was the captain were insufficient to prove her nationality:

That the ship, though she cleared from Havana for the Island of St. Thomas, as shown by the bills of lading, although she passed in its immediate vicinity, did not touch at that port, where she might have obtained legal papers from the Portuguese authorities:

That among the officers and crew there did not appear one who was really a Portuguese subject:

That the log-book was not exhibited on demand, nor was it found among the papers:

That the vessel had aft a flying-deck separated from the cabin by a moveable bulkhead, which had been recently removed five feet towards the stern, thus enlarging the deck, which was ventilated by a portion of the skylight of the cabin, as is usual in slave-ships, for the stowage of women and children:

Finally, that the person who first presented himself, stating that his name was José Lucas, and that he was captain and owner, when confronted with Lieutenant Allingham, of Her Britannic Majesty's ship "Antelope," confessed that he was not the person he had represented, and that his name was Vital Pereira de Miranda.

On the same day, 24th February, the captor ratified on oath his act of capture and declaration. The usual eight-day notices were issued, and in due time Vital Pereira de Miranda, representative of the real captain and owner, José Lucas, presented himself, and appointed a Proctor, as did the captor.

In session of the 26th February the Court received the depositions of Vital Pereira de Miranda, of the second mate, the boatswain, and a boy. A survey was held on board on the 27th February. The sailing-chart was examined on the 5th of March. The proceedings continued in regular form, and judgment was given on the 17th of that month, on which occasion the Proctors presented their arguments in writing, which were added to the documents in the cause, and the "*Laura*" was declared a good prize, and condemned, with all articles on board, and the crew placed at the disposal of the Governor-General of the Province.

State of the Libertos.

There existed in charge of the Board of Superintendence on the 31st December, 1861 ..	63
Since released from launch "*E*"	5
	68
Died during the years 1862–63	10
Absconded	2
Total on the 31st December, 1863	56
	68
In the employment of the Provincial Government	23
Ditto of private persons	33
	56

They all received proper treatment, those in the employment of the Provincial Government being occupied on public works, and the others employed by private persons in domestic service.

Loanda, January 9, 1864.

(Signed) JOSE BAPTISTA D'ANDRADE, *Governor-General.* W. VREDENBURG.

No. 102.

Her Majesty's Commissioner to Earl Russell.—(Received March 29.)

(No. 3.)

My Lord, *Loanda, January* 11, 1864.

I HAVE the honour to transmit the copy of a despatch which I addressed to Captain John Bythesea, V.C., of Her Majesty's ship "Archer," Senior Officer of the South Division, directing his attention to the active state of the Slave Trade on the coast of Benguela during the greater portion of last year, and suggesting that a cruizer should for some time be stationed on that part of the coast.

On Saturday evening last my colleague the Brazilian Consul told me that information had reached him to the effect that a vessel had recently left the neighbourhood of Novo Redondo with 500 or 600 slaves. Whilst we were conversing on the subject the Governor-General entered the room and afforded us an opportunity of mentioning the circumstance to him. His Excellency, with his usual candour, admitted that he also had received information that some vessels had taken slaves from Benguela; that he had required explanations from the Governor of that province, who denied the fact, declared that the reports were false, and that, as the bays and harbours were constantly visited by boats from Her Majesty's ships, no

slave-ship could get away. I pointed out to his Excellency that that statement was false, as no British cruizer had been stationed to the southward since the "Griffon" left there in the month of August. I repeated to his Excellency what I had previously frequently mentioned to him, that the Governor of Mossamedes had told Commander Perry that, at least, one slave-ship had left the coast monthly since the commencement of the year. The Governor-General then replied that the Governor of Mossamedes had also written to him, and that he had sent the whole of the correspondence to Lisbon: he added that he thought there was great exaggeration in these reports; that he did not think it possible to ship slaves between the town of Benguela and Loanda, as there were authorities all along the coast; but between Benguela and Mossamedes it was easy to do so, as the coast was uninhabited, with the exception of a plantation here and there. These isolated plantations, as I observed, were exactly the places that would be selected for collecting and shipping slaves without fear of interruption.

I would not, except on proofs of the clearest and most evident description, accuse a person so high in the confidence of the Portuguese Government as the Governor of an important Colony, of connivance at the criminal speculations of the slave-traders; but if, as is generally affirmed, and I most conscientiously believe, large numbers of slaves have been expatriated from the province of Benguela, the Governor may be fairly charged with the guilt of culpable negligence and indifference.

I purpose, with your Lordship's sanction, if my duties will permit my temporary absence, and I can obtain a cruizer to take me down, to visit in person the provinces of Benguela and Mossamedes in the month of April or May, for the purpose of obtaining, if possible, some certain information as to the state of the Slave Trade in those districts.

I have, &c.
(Signed) W. VREDENBURG.

P.S.—The duplicate is sent under flying seal to Sir Arthur Magenis.

W. V.

Inclosure in No. 102.

Her Majesty's Commissioner to Captain Bythesea.

Sir, *Loanda, December* 21, 1863.

FROM information which has been communicated to me I have reason to believe that, during the greater portion of this year, the Slave Trade has been in a state of great activity on the coast to the southward of this port. There has been latterly a cessation of that Traffic in consequence of the dealers in Cuba having neglected to pay for the slaves that they have received, and also on account of the death of Senhor Ignacio, the notorious slave-trader at Equimina; but there can be but little doubt that some person will soon replace him, and that the shipment of slaves will recommence with renewed vigour.

Should the state of the service permit it, I take the liberty of suggesting that a cruizer should immediately be sent to the South to cruize off the coast of the province of Benguela, particularly between Novo Redondo and Cape Martha, and that for some time a vessel should always be stationed on that part of the coast.

I am most anxious to visit the provinces to the south for the purpose of seeking personally for information on these matters, but I fear that my duties here will not permit my leaving before the beginning of April. I should be obliged if you would at that time place a vessel at my disposal for the purpose of conveying me to the places I am desirous of visiting.

I have, &c.
(Signed) W. VREDENBURG.

No. 103.

Earl Russell to Her Majesty's Commissioner.

(No. 5.)

Sir, *Foreign Office, March* 31, 1864.

WITH reference to your despatch No. 42 of the 28th of September last, recommending that an arrangement should be effected by Her Majesty's Government with the African Mail Packet Company for the extension of the postal service to Loanda, I am directed by Earl Russell to transmit to you copies of a correspondence which has passed between this Department and the Treasury on this subject, by which you will see that the Lords of the Treasury are of opinion that the question should be considered upon the expiration of the contract of Her Majesty's Government with the African Mail Packet Company in September 1866.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 103.

Mr. Layard to the Secretary to the Treasury.

Sir, *Foreign Office, February* 26, 1864.

I AM directed by Earl Russell to transmit to you, for the information of the Lords Commissioners of Her Majesty's Treasury, copies of a correspondence as marked in the margin between the Post Office and this Department on the question of establishing a regular postal communication between this country and Loanda.

I am, &c.
(Signed) A. H. LAYARD.

Inclosure 2 in No. 103.

The Secretary to the Treasury to Mr. Layard.

Sir, *Treasury Chambers, March* 18, 1864.

WITH reference to your letter of the 26th ultimo relative to the proposed extension of the African Mail Packet Service to St. Paul de Loanda, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Earl Russell, that my Lords do not consider they should be justified in authorizing this extension and the increased subsidy which it would occasion.

The contract with the African Steam Ship Company will end, provided due notice is given, in September 1866; and my Lords are of opinion that it would be better to postpone consideration of the proposal to extend the service to Loanda until, by the present contract expiring, my Lords shall be called upon to consider the whole plan of the West African Mail Service.

I am, &c.
(Signed) F. PEEL.

No. 104.

Her Majesty's Commissioner to Earl Russell.—(Received April 4.)

(No. 4.)

My Lord, *Loanda, February* 8, 1864.

WITH reference to my despatch No. 41 of 1st of September, 1863, I have the honour to report to your Lordship the information that has been this morning verbally communicated to me by the Governor-General respecting the blacks found on board the brig "*Julio*" when visited by a boat from Her Majesty's ship "Zebra."

The Governor of St. Thomas has reported to his Excellency that ten libertos only presented passports on the arrival of the vessel at St. Thomas; but an endeavour was made to land four whose names had been placed on the crew list, on the pretence that they wished to leave the sea, and work on shore; this proceeding the Governor refused to sanction. He sent for the blacks and asked them if they were free; they replied that they did not know: thereupon the Governor declared that they must either proceed to Lisbon in the vessel or be landed as free men. The latter alternative was adopted; the men were landed, and subsequently enlisted in the Portuguese army.

Your Lordship will observe that the above statement does not explain the presence of the passports that were presented to the visiting officer of the "Zebra." I can offer no satisfactory explanation of the circumstance; it is possible that false passports were kept for presentation to the officers of Her Majesty's ships, but as that proceeding could not be safely adopted with the Portuguese authorities, the names were placed on the crew list; it is also possible that the visiting officer was mistaken. What may be the true explanation I know not, but the result of my interference has been that four men, whom it was the intention of some slave-trader to smuggle into St. Thomas and reduce to slavery, have been released and placed in freedom.

I have, &c.
(Signed) W. VREDENBURG.

No. 105.

Earl Russell to Her Majesty's Commissioner.

(No. 6.)

Sir, *Foreign Office, April* 5, 1864.

I HAVE received your despatch No. 3 of the 11th of January last, relative to the Slave Trade which is carried on from the Portuguese possessions to the south-

ward of Loanda, and inclosing a copy of a letter addressed by you to Captain Bythesea of Her Majesty's ship "Archer" on this subject.

I have to acquaint you that I approve your communication to the Commander of the "Archer," and I also approve of your proposed visit to the South Coast.

You will, during your expedition, use your best endeavours to find out the exact localities from whence slaves have been shipped, and the parties engaged in the shipments, and you will omit no effort to bring them to punishment.

You will also furnish me with a full report of your proceedings.

I am, &c.

(Signed) RUSSELL.

No. 106.

Her Majesty's Commissioner to Earl Russell.—(Received April 26.)

(No. 5.)

My Lord, *Loanda, March 7*, 1864.

I HAVE the satisfaction of reporting to your Lordship the capture, in the early part of last month, of a brigantine fully equipped for the Slave Trade, by Her Majesty's ship "Griffon."

I have had no communication with the Commander of the "Griffon," but from intelligence which has reached this city, there appears no doubt that she was the "*Venus*," a vessel brought before the Mixed Commission last year, and released by that tribunal. I have already had the honour of forwarding to your Lordship a report on that case.

I have further the satisfaction of reporting the capture on the 26th of last month of the Spanish brigantine "*Virgen del Refugio*" by His Most Faithful Majesty's schooner "Napier." She was taken at anchor on the coast of Benguela, near the River Tapado. The case is now pending before the Tribunal de Prezas, and as the prize had her slave-deck laid and her water on board, it is certain that she will be condemned. The captain has hitherto refused to compromise any of the parties engaged in this transaction, but I will have the honour, when I send the Judgment of the Court, of transmitting also all the information I can collect.

Both of these vessels sailed from Cadiz. The "*Venus*" destroyed her papers, but the "*Virgen del Refugio*," it appears, cleared for a coasting voyage.

I have, &c.

(Signed) W. VREDENBURG.

No. 107.

Earl Russell to Her Majesty's Commissioner.

(No. 8.)

Sir, *Foreign Office, May 30*, 1864.

I HAVE received your despatches Nos. 5 and 7 of the 7th and 15th of March last, relating to the capture of two vessels fully equipped for the Slave Trade, one (a brigantine) by Her Majesty's ship "Griffon," supposed to be the "*Venus*," a vessel seized last year by one of Her Majesty's cruizers, but released by decision of the Mixed Commission Court at Loanda; the other the Spanish brigantine "*Virgen del Refugio*" captured by the Portuguese schooner of war "Napier" whilst at anchor off the coast of Benguela on the 26th of February last.

It seems pretty clear from your despatches, coupled with the reports that have reached Her Majesty's Government from other sources, that the export of slaves from the Portuguese dominions to the southward of Loanda has been carried on to a very considerable extent during the last year, and that there must be some persons engaged in organizing this traffic resident in the Portuguese Possessions.

You are probably aware that the export of slaves from the Portuguese possessions in Angola was put a stop to on a former occasion by the expulsion on demand of Her Majesty's Government from those possessions of Senhors Flores and Garrido, two notorious slave-dealers. These individuals were subsequently allowed to return to Loanda, one of them, Senhor Flores, having received from the Portuguese Government a large grant of territory in the neighbourhood of Benguela to enable him to work some rich copper-mines said to have been discovered in that neighbourhood.

From the Reports received by Her Majesty's Government, it would appear that these mines have not turned out so profitable as was expected, and as it is from the coast in the vicinity of Benguela that shipments of slaves are stated to have been effected, it is quite possible that the facilities afforded by the assemblage of a considerable number of slaves in the neighbourhood of the mines may have induced the parties engaged in working them to make up for the unprofitableness of their mining speculations by taking to the more lucrative Traffic in Slaves. The recent capture of the Spanish brigantine "*Virgen del Refugio*" off the coast of Benguela would also serve to strengthen this suspicion.

I have accordingly to desire that you will use your best endeavours to ascertain who the parties are that are engaged in these slave-trading transactions, in order that Her Majesty's Government may demand their expulsion from the Portuguese possessions in Angola.

I need scarcely point out to you, that in order to enable Her Majesty's Government to act in this matter, it will be necessary that your information should be well authenticated, and you may, if necessary, pay a reasonable sum for such information as will enable Her Majesty's Government to procure the expulsion of these offenders.

I am, &c.
(Signed) RUSSELL.

No. 108.

Her Majesty's Commissioner to Earl Russell.—(*Received May* 19.)

(No. 6.)

My Lord, *Loanda, March* 14, 1864.

I HAVE the honour to acquaint your Lordship that I yesterday received a confidential note from the Governor-General, informing me that he had the previous day received information that on the 23rd February the American brigantine "*Myra*" had entered the port of Mossamedes. Although her papers were correct and she was ostensibly fitted out as a whaler, his Excellency thought from her size and other circumstances, that there was every probability of her being destined to be employed in the Slave Trade.

The Governor-General states that His Most Faithful Majesty's ship "Sá da Bandeira" received no instructions when she left this port to watch the "*Myra*," as her arrival was not then known, and suggests that one of Her Majesty's cruizers should go to the southward with that object. I immediately communicated the contents of his Excellency's note to Commander Perry, the senior officer of this division of the squadron, and that officer declared that he would go himself and look after that vessel.

I have, &c.
(Signed) W. VREDENBURG.

No. 109.

Her Majesty's Commissioner to Earl Russell.—(*Received May* 19.)

(No. 7.)

My Lord, *Loanda, March* 15, 1864.

I HAVE the honour to transmit a translation of the Judgment of the Prize Court in the case of the Spanish brigantine "*Virgen del Refugio*," the detention of which vessel by His Most Faithful Majesty's schooner "Napier" I had the honour of reporting to your Lordship in my despatch No. 5 of the 7th instant.

Your Lordship will observe that the proofs of her intention to engage in the Slave Trade were too clear and manifest to admit of any chance of her escaping condemnation; the captain, moreover, confessing on his examination that he had left Cadiz under the pretence of making a coasting voyage to Villa Garcia, but that his real destination was the African coast, with the object of shipping a cargo of slaves. He steadily declined to divulge the names of the owners of the vessel, limiting himself to the statement that they resided in Cadiz and the neighbourhood, and he also refused to mention the names of the persons who were to provide the cargo, relating the very improbable story that it was his intention to offer his vessel

to any one who was desirous of shipping slaves and might require his services. He and the rest of the crew are in jail, and will be brought to trial.

Another case has arisen closely connected with the foregoing. Although the law requires that no slaves shall be embarked without passports, great laxity exists in this respect as regards the small coasting craft. Shortly before the capture of the "*Virgen del Refugio*," a launch with twelve or fourteen blacks on board left Benguela for Egypto, near which place the brigantine was captured. The master of the launch was found on board when she was detained, and the launch returned to Benguela. The captain of the "Napier" thinking the matter suspicious, and that the evidence of the blacks on board the launch might be important on the trial of the brigantine, sent her to this port. On her arrival she was apprehended, and many of the slaves on their examination stated that they had just been purchased, and were even ignorant of the names of their owners. There is every reason to suppose that they were intended for shipment on board the "*Virgen del Refugio*." The case will be tried before the proper tribunal, and the launch will probably be condemned, and liberty given to the slaves. I will not fail to inform your Lordship of the result.

These proceedings go far to prove what I have so frequently asserted, that for some time the Slave Trade has been carried on on a large scale in the district of Benguela.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 109.

Judgment in the case of the Spanish brigantine "Virgen del Refugio."

(Translation.)

IT appearing by the declaration of capture that on the 26th of February last the Portuguese schooner of war "Napier" met and detained the Spanish brigantine "*Virgen del Refugio*," anchored about half a mile from the coast of the Portuguese possessions in Western Africa, in latitude 11° 45′ south, near the River Tapado, in consequence of having found on board the following indications that she was engaged in the Slave Trade:—1. A black woman and two boys without passports, nor any other documents to authorize their presence there; 2. A large number of casks filled with water in a much larger quantity than was necessary for the crew and passengers; 3. A flying-deck of planks fixed above the hold; 4. A portion of prepared planks; 5. A large boiler placed on a stove large enough to cook for 200 persons, in addition to the regular kitchen for the crew; 6. A large number of bags containing rice and vegetables under the flying-deck, without any document being presented to legalize their presence; and it appearing from the deposition of the captain of the captured brigantine, that instead of going from Cadiz to Villa Garcia on a coasting-trade, as he should have done according to the passport and bill of health found on board, he came to the coast of Africa with the intention of engaging in the Slave Trade if he could find any one desirous of availing himself of the brigantine for that purpose; and finding himself off Santa Maria, a port on the coast to the south of Benguela, he there met a Cabenda man, the master of a launch, who informed him that in the neighbourhood of Egypto there were slaves ready for shipment, he consequently went to that place and was captured; that in the Bay of Santa Martha he bought the above-mentioned blacks; that when he left Cadiz he appeared fictitiously as a passenger, as did also five other individuals who appear as such in the bill of health; there appearing as captain on the passport, bill of health, and crew list, Antonio Gallianna, who was only the mate of the deponent, and that those others who appear as passengers in the documents were in reality a part of the crew, and that that course was adopted because by the laws of his country it is not permitted to engage a crew of more than six for a coasting voyage; that on the occasion of his capture he gave the name of Antonio Gallianna as being the one that appeared as captain in the papers, and that the true Gallianna took the name of deponent and appeared as a passenger; that he had no cargo-book nor manifest, nor log-book, nor any document legalizing the presence of the cargo and passengers on board beyond the royal passport, the crew list consisting of six persons, and the bill of health, including them and the other six who appeared as passengers; that he would name neither the consignors of the cargo nor the owners of the vessel, as he did not wish to compromise them, limiting himself to saying that they were all Spaniards living in Cadiz and the neighbouroood, with which in part agree the other deponents from among the crew; and it appearing finally from the act of survey that there existed a flying deck from the cabin to the forecastle, and another in the cabin separated from the hold by a moveable partition, and a number of other planks prepared to form another flying deck, a large boiler placed on a stove and ready for use, and of a capacity to cook at one time enough for 300 persons in addition to the ship's galley, a large number of casks of water far beyond the necessities of the crew, a grating placed over the main-hatch, and a large amount of provisions, and considering that the objects referred to found unlawfully on board the captured vessel are proofs classified by the Decree of the 10th December, 1836, and that the same were destined for the Slave Trade, and considering the other dispositions of that Decree and of that of the 14th September, 1844, they adjudged the above-mentioned brigantine "*Virgen del Refugio*" a good prize, declare the three blacks found on board free; that letters of freedom be given to them, and that they be placed at the disposal of the Governor-General of the Province; and they order that a copy of this Judgment, and all the persons found on board be placed at his disposal, and that an inventory of the cargo and ship be taken in conformity with the law.

Loanda, March 9, 1864.

(Signed) MOTTA.
J. GUEDES.
FIGUEIREDO.

No. 110.

Earl Russell to Her Majesty's Commissioner, No. 9, May 31, 1864.

Instructions respecting "*Venus*" and "*Virgen del Refugio.*"

No. 111.

Her Majesty's Commissioner to Earl Russell.—(Received June 3.)

(No. 10.)

My Lord, *Loanda, April 10, 1864.*

I HAVE the satisfaction of reporting to your Lordship that Commander João Baptista Garção, of His Most Faithful Majesty's ship "Sá da Bandeira," who relieved in the month of January Commander Simas, of the "Sagres," as Senior Officer of the Portuguese squadron, has shown since his arrival considerable energy and activity, and has on all occasions expressed his determination, so far as he is able, to put a stop to the Slave Trade. He was kind enough to inform me a few days ago that it was in consequence of communications that I had made to him that he dispatched the "Napier" to the coast of Benguela, which resulted in the capture of the Spanish brigantine "*Virgen del Refugio.*"

I have, &c.

(Signed) W. VREDENBURG.

No. 112.

Her Majesty's Commissioner to Earl Russell.—(Received June 3.)

(No. 11.)

My Lord, *Loanda, April 18, 1864.*

I HAVE the honour to acquaint your Lordship that I was last night informed by the Governor-General that the Governor of Benguela had written to him to request that he might be superseded. His Excellency had a few days before mentioned to me that he thought that that functionary would be either removed or dismissed. He had himself probably arrived at the same opinion, and thought it more judicious to resign voluntarily than await his dismissal, which must inevitably have been the result of his culpable negligence, to use no harsher term, in permitting the Slave Trade to be carried on, on so vast a scale, in the district under his jurisdiction.

I have, &c.

(Signed) W. VREDENBURG.

No. 113.

Earl Russell to Her Majesty's Commissioner.

(No. 10.)

Sir, *Foreign Office, June 23, 1864.*

WITH reference to your despatch No. 27 of the 20th May, 1863, I have to acquaint you that I instructed Her Majesty's Minister at Lisbon to bring to the notice of the Portuguese Government the difference which had arisen between you and your Portuguese colleague upon the question whether the captor's expenses in bringing to adjudication the Portuguese slave brigantine "*Laura*" should be paid out of the proceeds of the sale of that vessel before such proceeds were divided between the British and Portuguese Governments or not; and I now transmit, for your information, copies of a despatch, and of its inclosures, from Sir A. Magenis,* by which you will perceive that the Portuguese Government concur in the view taken by you of this matter, and that instructions in conformity therewith have been given to the Portuguese Commissioner.

I am, &c.

(Signed) RUSSELL.

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* Class B, No. 198.

No. 114.

Her Majesty's Commissioner to Earl Russell.—(Received June 29.)

(No. 12.)

My Lord, *Loanda, May* 3, 1864.

I HAVE the honour to report to your Lordship that on the 25th April Her Majesty's ship "Lee" arrived at this port with a small fore and aft schooner under the Portuguese flag which she had detained in the vicinity of Mangue Grande on suspicion of being engaged in the Slave Trade. Proceedings have been commenced before the Mixed Commission, but the only evidence received to the present time has been that of the captor, the Court having adjourned until the period shall have elapsed for the return of the monition.

I am unable at present to form any opinion of the case on its merits; but as the master hitherto has produced no papers whatever to justify the use of the Portuguese or any other flag, the case is not, I am disposed to think, within the jurisdiction of the Mixed Commission. She is without doubt, however, a good prize as a vessel navigating without legal papers, but should, I apprehend, have been sent for trial before a Vice-Admiralty Court.

I have, &c.
(Signed) W. VREDENBURG.

No. 115.

Earl Russell to Her Majesty's Commissioner.

(No. 7.)

Sir, *Foreign Office, July* 16, 1864.

I TRANSMIT to you herewith, for your information, the accompanying copy of a despatch from Her Majesty's Minister at Lisbon,* inclosing a copy of a note from the Portuguese Minister for Foreign Affairs, announcing the appointment of Senhor Bernardo Soares Vieira da Motta to the post of Arbitrator in the British and Portuguese Mixed Commission Court at Loanda, and of M. Antonio Casimiro d'Almeida to that of Clerk in the said Mixed Commission Court.

I am, &c.
(Signed) RUSSELL.

No. 116.

Mr. Layard to Her Majesty's Commissioners, No. 12, *August* 23, 1864.

[Transmitting Slave Trade information.]

No. 117.

Her Majesty's Commissioner to Earl Russell.—(Received September 2.)

(No. 13.)

My Lord, *Loanda, June* 20, 1864.

I HAVE the honour to transmit a Report on the case of the schooner "*Congo*," the detention of which vessel by Lieutenant Foot, of Her Majesty's ship "Lee," I reported to your Lordship in my despatch No. 12 of the 3rd May.

The "*Congo*" has been released as a bad prize, in consequence of the clear proofs that she was, when captured, engaged in legal trade; but a question of some importance arose during the trial. As the "*Congo*" was unprovided with papers of any class or description whatever, it appeared to me that she had no right to claim Portuguese nationality; and it was my opinion that the Mixed Commission had no jurisdiction in the case, but that the prize should be restored to

* Class B, No. 205.

the captor, to enable him to send her for trial before a tribunal competent to try a case arising from a breach of international law. The Governor-General, as Acting Portuguese Commissioner, held the contrary opinion; and the Acting Portuguese Arbitrator, who had been chosen by lot, having been called in, maintained the views of the Governor-General, in a written opinion, which your Lordship will find translated at length, with some observations thereon, which I have taken the liberty of appending. As the point is one of some importance, I have also, to avoid probable errors of translation, the honour to inclose copies of their opinions, as written by them in Portuguese.

The question of jurisdiction is not one which it would be advisable to raise under ordinary circumstances; but the coast swarms with vessels of the class of the "*Congo*," in the service of the Slave Traders; they are employed in conveying slaves to the rendezvous or on board the vessels in which they are to be shipped, and avoid the vigilance of Her Majesty's cruizers, by navigating at night or close to the shore. They are owned by Portuguese, but have no papers, and generally use the Portuguese flag when they have nothing on board, which might be evidence to condemn them. They are also too insignificant to justify the Commander of a man-of-war in sending an officer and prize crew to St. Helena or Lagos; and I thought that if there existed here a tribunal with the jurisdiction of an Admiralty Court, they might conveniently be captured, even when empty, and sent here for trial for navigating in violation of the law of nations. It appears that there does exist here a Court possessing such jurisdiction; but if the opinion of the Acting Portuguese Arbitrator—who is the President of that Court—be accepted as a correct exposition of the law of nations, it would be useless to send them to this port with any hope of their condemnation. His opinion, also, if acted on, will limit considerably the usefulness of the Portuguese squadron, in the case of slave vessels using illegally the flag of a nation with which Portugal has no Treaty, if the flag and ownership alone are considered as conclusive proofs of nationality.

In forming my opinion on the subject under discussion, I laboured under the serious disadvantage of not having in my possession any work on international law to which I could refer. As the Mixed Commission had been twenty years in existence, I concluded that I should find a work of that nature here, and omitted to provide myself with one before I left London. Should your Lordship be of opinion that a publication of that class should properly form a portion of the permanent archives of the Commission, I respectfully request that one may be sent for my use.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 117.

Report on the case of the schooner "Congo," *detained by Lieutenant C. E. Foot, Commanding Her Majesty's ship "Lee," and tried before the British and Portuguese Mixed Commission established at Loanda.*

THE "Congo" was detained on the 23rd April in the neighbourhood of Mangue Grande and brought to this port on the 25th. On that day the captor informed the Secretary of the Mixed Commission of the circumstance, and the Court met on the 27th, when the papers found on board were examined and ordered to be filed, and Señor Costa Cabral sworn as interpreter, and the papers delivered to him for translation. On the 28th the captor was sworn to the truth of his declaration, which is in the following terms:—

"I, the undersigned, Charles Edward Foot, Esquire, holding the rank of Lieutenant in Her Britannic Majesty's Navy, and commanding Her Majesty's ship "Lee," duly authorized by the Treaty between Great Britain and Portugal, dated the 3rd July, 1842, for the suppression of the Slave Trade, do hereby declare that on the 23rd day of April, 1864, being in latitude 6° 42′ south, and longitude 12° 12′ east of Greenwich, I detained the fore-and-aft schooner "Congo," under Portuguese colours, whereof Feliciano José de Faria is master, for the reasons herein set forth.

"That she came from the very notorious slave port Ponta du Lenha, that the person who presented himself as master was mate of a vessel captured by her Britannic Majesty's ship "Griffon," in the month of February, fitted out for the Slave Trade, and supposed to be the brigantine "Venus." That I observed on board both American and Portuguese flags, and that without any papers authorizing her to the right of either, or any legal papers of any class or description whatever—that the cargo was of a description easily sold, the proceeds of which could be applied for the purchase of slaves, or which itself might be bartered for them. That there were found on board twelve negroes unprovided with passports, or other documents authorizing their presence, being a number far in excess than required for the purpose of navigating so small a craft, and further that a manuscript document was found on board with sailing directions for Cuba and the Havanna, and that a quantity of plates, and a large quantity of farinha, probably 1,200 lbs. avoirdupois, were on board, also a quantity of calavances, &c., which articles were not down on her list of cargo, and further that I observed great delay in her hoisting any colours after the national flag had been displayed from Her Majesty's ship under my command.

"Given under my hand on board Her Britannic Majesty's steam-vessel "Lee," this 25th day of April, 1864.

(Signed) "H. C. Foot, *Commanding Her Britannic Majesty's ship 'Lee.'*"

The following papers were found on board and delivered to the captor by the master:—

1. A letter addressed to Señor Alvaro.
2. A list of cargo.
3. Fly-leaf of a log-book of "Faria of Princes.
4. Sailing directions in manuscript, Cuba and Havanna.
5. Letter to José de Faria Zaire.
6. Letter to Señor Luiz Pedro, at Ambrizette.
7. Letter to Ann den Kapitan der Stoomboot Warende von Lissabon of Rotterdam.

The cargo consisted of the following articles:—

1. cases of sardines.
2. package of trade cloth.
3. 18 large and 8 small barrels.
4. small case.
5. ditto ditto.
6. ditto ditto.
7. paper.
8. case.
9. 47 muskets.
10. brass rods.
11. cask of brandy.
12. 6 bags of calavances.
13. 11 bags of farinha.
14. 1 portmanteau.
15. cask Lisbon wine.
16. ditto ditto ditto
17. ditto ditto ditto
18. cask salt meat.
19. bale trade goods.
20. bale trade goods also.

Nos. from 21 to 30 inclusive, bales of trade goods 10 in number.

31. case of fruit.
32. ditto ditto.
33. ditto ditto.
34. ditto ditto.
35. ditto ditto.
36. ditto ditto.
37. case trade cloth.
38. case of fruit.
39. ditto ditto.
40. case.
41. large case.
42. ditto ditto.
43. very large case.
44. ditto ditto.
45. iron (20 bars).
46. 58 dozen plates.

The captor was then examined, and deposed as follows:—

That on the morning of the 23rd he saw the schooner under sail about eight or ten miles from his ship, and immediately gave chase. He afterwards saw two vessels that he went to visit, and then returned in the direction of the prize and saw her again. That when about the distance of a mile from her he stopped, having the national flag and pendant flying. On this occasion the schooner hoisted the Portuguese flag and tacked; as there was but little wind he went in a boat to visit her, she continuing under sail. He had observed so much delay in showing her colours that he had thought of firing a gun to attract her attention.

That she had a deck with a place forward for the crew and one aft for the master.

That he thought she was capable of taking 150 or 200 slaves, but never having seen a vessel with slaves on board he could not state exactly. That he thought that the provisions on board might be sufficient for ten days' consumption of 200 negroes. That he did not think that she was fit to receive negroes, but that he thought the cargo was probably intended to buy them. That it was more likely to buy negroes than to go to America, and that he did not think she was in a condition to carry negroes to America.

The evidence of the captor having been received, the monition was ordered to be issued, returnable in eight days, and the Court adjourned.

On the 11th May the Court received the depositions of the master and a portion of the crew.

The former stated that he was a native of Lisbon, twenty-two years of age, and a mariner.

That Joaquim Alves Ferreira gave him charge of the "*Congo*" at Porto da Lenha, and he took the command of her on the 20th of last month. That he only knew her three days before, but knew that she was built in France. That since he took charge of her she sailed under the Portuguese flag, but that previously she sailed under the French flag. That there was an American flag on board, which he found there; that he had never made use of it, and thought it was intended as a signal. That he had always known her under the name of "*Congo*," and that she was of 30 tons. That the crew consisted of twelve blacks, all free; that they were natives of Cabinda and the neighbourhood, and were engaged for the service of the schooner, and that none of them had any interest in the cargo.

That after leaving Porto da Lenha he touched at Banana, and it was his intention to touch at Ambrigette and Ambriz, and to finish the voyage at Loanda. That he touched at Banana, to leave the owner there and to receive three packages of cargo. That he does not know the contents of the bale, but thinks the cases contain wine. That the list of the cargo was made at Porto da Lenha, and does not contain the three packages received at Banana. That he delivered to the captor the whole of the papers that were on board, and that among them was none that authorized the use of the Portuguese flag. That he was mate of the "*Venus*," captured in the month of February; that she was captured because the captor considered her ready to receive slaves, and that neither her nor the captain went to St. Helena in her. That he had not served in any vessel but the "*Congo*" since he left the "*Venus*." That he was to have delivered the cargo at Ambriz. That he was going to Ambrizette to leave a spar there and to meet the owner with papers that he had forgotten at Porto da Lenha, and that it was more convenient to wait for him at Ambrizette than to anchor again in the Congo, where he was in fear of being robbed by the blacks, inasmuch as the schooner was escaping from them, they having attacked the owner at Porto da Lenha. He received the farinha that was on board at Porto da Lenha, and it was intended for the use of the crew. That the sailing directions he had in his possession in his capacity as mate, and he had copied them from the "Robiero Pimentel." That he had not observed that there had been any delay in showing his flag, but that if such was the case it was because he was occupied in baling out the water and saw the steamer when she was close to him. That when the vessel used the French flag she belonged to the French factory at Banana.

Fernando Gi, boatswain, and six of the crew, were examined. They deposed that they and the rest were all Cabindas, and free, and confirmed the principal points in the captain's evidence.

On the 16th of May the Proctor for the claimant presented three documents, which were duly filed.

The first was a permission granted by the Governor-General to the claimant to establish a trading house at Porto da Lenha, and bore date the 16th of October, 1863.

The second was a certificate of sale and safe conduct from the commander of the French war steamer "Dialmath," and is in the following terms:—

"*Marine Impériale, Aviso à vapeur le 'Dialmath.'*

"Le Lieutenant de vaisseau, commandant l'aviso à vapeur le 'Dialmath,' certifie avoir autorisé la vente à M. Joaquim Alves Ferreira, citoyen Portugais, domicilié à Chemalick (Congo), de la goëlette le "*Congo*" de 30 tonneaux, appartenant à la maison Victor Regis de Marseille.

"Les papiers de ce navire ayant été repris par l'agent en chef des factoreries Françaises, et M. Ferreira ayant pris l'engagement de faire légaliser la vente à Saint Paul de Loanda, le Soussigné lui a délivré le présent afin que les navires de guerre Français et étrangers laissent passer librement et sûrement la dite goëlette le '*Congo*,' pour le rendre du '*Congo*' à Saint Paul de Loanda.

"Fait à Banane, le 22 Décembre, 1863.

"Le Lieutenaut de Vaisseau, Commandant le 'Dialmath,'
(Signé) "ED. LEFON."

The third was a letter from the owner of the "*Congo*" to Senhor José de Jesus Rodriguez, of Loanda, and bore date of 19th April, 1864. The following is a translation of that portion which bears on this case:—

"From Ambriz I intend to send you a schooner of twenty and odd tons, for which you will have the goodness to obtain the necessary papers, and at the same time to be my surety for the bond that I shall have to give, for this vessel has had enough of this river; she was once taken by the natives, who sunk her papers. I am now consequently obliged to employ her in carrying colonists to St. Thomas, and I cannot do so without her being legalised. I therefore ask this favour of you, for which I shall be infinitely grateful.

The Court then proceeded to hear the depositions of the witnesses presented on behalf of the claimant.

Manoel da Luz Carvalho stated that the "*Congo*" was sold in deponent's presence by Victor Parra in the month of December; that the house of the claimant is engaged in legitimate trade; and that to his knowledge it has transacted business with the extinct French house and the Dutch house of Kerdyk; that many coasting vessels use national flags as signals; that, with the exception of the safe conduct of the Governor-General, it is not possible to obtain any papers before arriving at Ambriz; that the goods on board are such as are employed in legal trade.

Joaquim de Santa Anna Ribeiro deposed that the house of Joaquim Alves Ferreira is one of those at Porto da Lenha that is engaged in legitimate trade; that he was in the "*Congo*" when Alves Ferreira bought the vessel; that when he was there Alves Ferreira had been taken and bound by the blacks, who released him only on obtaining a portion of his goods; that he then declared to witness that he intended to leave the "*Congo*" and establish himself in Ambriz; that he had never seen any other vessel use a foreign flag as a signal; that the goods on board the schooner are such as are generally used in that trade; that to his knowledge Joaquim Alves Ferreira had been captured by the blacks, and had been only released at the price of goods and rum that he gave them, and that he told deponent that he was resolved to transfer his goods to Ambriz; that the goods on board the "*Congo*" were such as were used in legal trade.

Manoel Peres Ramos, mariner, deposed that the "*Congo*" was in the possession of Alves Ferreira in the month of January. That he had never known a vessel use the national flag of another nation as a private signal.

José de Jesus Rodriguez, merchant, deposed that he has been occasionally at Porto da Lenha, that there are houses there engaged in legitimate trade, and José Alves Ferreira's is one of them. That the "Congo" latterly belonged to Joaquim Alves Ferreira, who bought her from a French factory in the Congo. That Alves Ferreira wrote a letter to him, to get here the necessary papers to legalise the vessel, and to be his surety, and the letter above mentioned having been shown to him, he declared that that was the letter to which he referred.

That Alves Ferreira had been tied by the blacks, and that he ransomed himself with goods, that Alves Ferreira himself told him so, as well as other persons from the "*Congo;*" he was also authorized by Alves Ferreira to negociate for the purchase of a house at Ambriz belonging to the American merchant, Willis. That many houses at Lisbon and elsewhere (which he designated) used the national flags of other nations as private signals. That papers cannot be obtained at Porto da Lenha, but a safe conduct could be got. That two vessels were brought not long ago to Loanda for sailing without papers, and both were released by the "Tribunal de Presas." That the cargo was such as was usually employed in legal trade, and that Alves Ferreira lately consigned to him by the "Emilia" a quantity of orchil. That he had not corresponded long with Joaquim Alves Ferreira, that he had thought that a brother in Lisbon was the chief of the house, and he, Joaquim, a partner or agent, and that he had never heard it said he was engaged in the Slave Trade.

Antonio Pedro Rodriguez, mariner and merchant, deposed, That he knows that the "*Congo*" belongs to Joaquim Alves Ferreira, because he, deponent, in the absence of his brother José de Jesus Rodriguez, received from Alves Ferreira on the 26th April, a letter dated the 19th of that month, and brought by the brigantine "Emilia," which vessel left Porto da Lenha on the 20th, and in that letter Alves Ferreira requested deponent's brother to take out legal papers, and be his surety for the vessel, for which purpose she was sent here, and the letter being shown to him, he declared that it was the one to which he referred. That he had heard that Alves Ferreira was leaving Porto da Lenha in consequence of the treatment he had received from the blacks. That when he commanded a ship he used the American flag on the foremast as a distinctive signal. That the house of Licene of Lisbon made use of the French flag for that purpose, and even on this coast Joaquim Botelho, of Novo Redondo, used the Spanish flag. That he was personally acquainted with Alves Ferreira from whom he had received other letters in the absence of his brother, and that the signature to the letter produced was his.

The proctor for the claimant was then heard on his behalf, and the Court appointed the following day for the consideration of their judgment.

On the 17th May a conference took place between the Commissioners as to the terms of their judgment. The Portuguese Commissioner was of opinion that the "*Congo*" had been proved to be a Portuguese vessel, and he considered her a bad prize. Her Britannic Majesty's Commissioner, on the other hand, maintained that no proofs had been produced to show that she was entitled to the use of the Portuguese or any other flag; he considered, therefore, that the Court had no jurisdiction in the case. It was therefore agreed that they should on the following day present in writing the grounds on which they based their respective opinions.

On the 18th May the Commissioners presented and read their opinions, and as they were still unable to agree, an arbitrator was chosen by lot. The President of the Court of Relaçao, in the absence of the Portuguese arbitrator, on whom the lot had fallen, was invited to attend on the following day, on which occasion a conference took place, and the Portuguese arbitrator requested to be allowed some delay to read the papers and form his opinion.

On the 23rd May the Portuguese arbitrator presented and read his opinion, which, being adverse to the views of Her Majesty's Commissioner, it was decided by the majority that the case was within the jurisdiction of the Mixed Commission. The Commissioners then proceeded to a consideration of the case on its merits, and gave the following judgment:—

That, considering the documents and the defence made on behalf of the claimants, they judge the palhabote "*Congo*" a bad prize; but seeing that the want of legal papers induced the captor to suppose that the said palhabote was employed in or destined for the Slave Trade, the master, crew, and owner of the said palhabote "*Congo*" cannot claim compensation for any wrong, loss, or damage whatsoever on account of her detention; that they pay the costs and other expenses of this trial, as they were the cause of them; and they order that the said palhabote "*Congo*" with all her cargo and other appurtenances be delivered to her respective master, and he with all the crew be set at liberty.

From the foregoing abstract of evidence and copies of documents filed in the cause it will be seen that the "*Congo*" was detained on the following grounds:—

1. That she came from the notorious slave port, Porto da Lenha.
2. That she was commanded by a person who had been mate of the "*Venus*," a vessel fitted out for the Slave Trade and captured by Her Majesty's ship "Griffon."
3. That she had an American flag on board.
4. That she was without any legal papers.
5. That the cargo was of a description easily sold, the proceeds of which might be applied to the purchase of slaves, or which itself might be bartered for slaves.
6. That there were twelve negroes on board without passports, being a number far in excess of the number necessary to navigate the vessel.
7. That there was a manuscript found with sailing directions for Cuba.
8. That a number of plates and a large quantity of farinha and beans were found, the latter not entered on the list of cargo.
9. That there was great delay in showing her flag.

It is not stated by the captor that any of the articles mentioned in the IXth Article of the Treaty were found on board, with the exception of the farinha and beans.

These nine grounds for capture were met by the claimant by the following evidence:—

The 1st. It was admitted that the vessel came from Porto da Lenha, but the witnesses deposed that the house of Joaquim Alves Ferreira carried on a legitimate trade there, and that they had never heard that it had ever been engaged in Slave Trade.

The 2nd. The captain of the "*Congo*" admitted that he had been mate of the "*Venus*."

The 3rd. The captain stated that he had found the American flag on board, but had never used it; and the witnesses deposed that it was not unusual to use the national flag of another nation as a private signal.

The 4th. It was admitted that the vessel had no papers, but it was stated that when captured she was on her way to Loanda to procure them. On this point, the dates when the letter from Alves Ferreira to Rodriguez was written and received are important, as are the testimonies of the brothers Rodriguez. The letter was written on the 19th April, was sent by a vessel that left Porto da Lenha on the 20th, and was received on the 26th. The "*Congo*" was detained off Mangue Grande on the 23rd, and arrived here on the 25th. It is clear, therefore, that the letter could not have been written with the knowledge that the "*Congo*" had been captured. In that letter Alves Ferreira says that he is sending down the vessel to enable Senhor José Rodriguez to obtain legal papers. Senhor José Rodriguez deposed (and his testimony was confirmed by others) that Alves Ferreira had been made prisoner by the blacks, who had released him only on payment of a ransom, and that he had declared that it was his intention to leave Porto da Lenha and establish himself at Ambriz, and had authorized the witness to negotiate with Mr. Willis, American merchant in this city, for the purchase of a house which he owned at Ambriz.

The 5th. It was proved by the witnesses that the cargo was of the character that is usually employed on the coast for legal trade.

The 6th. The blacks on board were examined, and declared that they were natives of Cabinda, and free, and were specially engaged for the service of the "*Congo*."

The 7th. The captain declared that the sailing directions for Cuba were in his possession in his capacity of mate. This is easily explained by the circumstance that he had been mate of a vessel destined to take a cargo of slaves to Cuba.

The 8th. The plates were on the list and formed a portion of the cargo. The farinha and beans were stated by the captain to be intended for the use of the crew, and would last about twenty days. It was in the knowledge of the Court that such was the case, as they were consumed by the crew when the vessel was in charge of the Mixed Commission, and an application was made for a supply of rations.

The 9th. The captain declared that he was not aware that there was any delay in showing his colours; that he was engaged baling out the vessel, and did not observe that the "Lee" wished to communicate.

It will be further observed that the captor on his examination stated that he did not think that the "*Congo*" when captured was in a condition to take a cargo of slaves to Cuba. He also mentioned to the Court that she was very leaky and making a great deal of water; and as her pump was out of order, it would be desirable, to prevent damage to the cargo, to open the hatches from time to time to bale her out, and it was found necessary to do so.

The principal grounds of suspicion that remained for the consideration of the Court were—the port whence the "*Congo*" came; the character of the captain; the presence on board of an American flag, and the absence of papers. Those circumstances would doubtless have had great weight had there been any proofs of slave-trading; but, taking into consideration the facts that the vessel when captured was full of cargo, and not in a condition to receive slaves—that she was leaky and her pump out of order—that she had neither provisions nor water on board, nor any of the articles mentioned in the IXth Article of the Treaty, and also the clear evidence as to her destination, the cause of her leaving Porto da Lenha, and the legal nature of the cargo, the Court could not do otherwise than declare her a bad prize; but as the proceedings had been caused by the default of her owner in neglecting to procure legal papers, he was condemned to pay all the costs of the suit.

(Signed) W. VREDENBURG.

No. 118.

Her Majesty's Commissioner to Earl Russell.—(Received September 2)

(No. 14.)

My Lord, *Loanda, June* 30, 1864.

I HAVE the honour to transmit a return of vessels tried before the Mixed Commission during the past half year, on suspicion of being engaged in the Slave Trade.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 118.

RETURN of Vessels Captured on Suspicion of being engaged in the Slave Trade, and adjudicated in the Mixed Court at Loanda, from January 1 to June 30, 1864.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where Captured.	Property Seized.	Seizor.	Date of Sentence.	Number of Slaves Captured.	Decretal part of Sentence.
Congo ...	... ..	Feliciano Jozé de Faria	1864 Apr. 23	Near Mangue Grande.	Schooner ...	Lieut. Foote, H.M.S. "Lee"	1864 May 23	None ...	Libernted, paying all costs.

Loanda, June 30, 1864. (Signed) W. VREDENBURG, *Commissioner.*

No. 119.

Her Majesty's Commissioner to Earl Russell.—(Received September 2.)

(No. 16.)

My Lord, *Loanda, June* 30, 1864.

I HAVE the honour to acquaint your Lordship that I have received a note from Commander Perry, of Her Majesty's ship "Griffon," Senior Officer of the South Division of the Squadron, in which he informs me that on the 3rd instant, when coming out of the Congo, he sighted a large felucca-rigged craft near Point Padrone. On Commander Perry's altering his course for her, she at once bore up for the beach and ran ashore before he could get near enough to prevent it. He then saw that she was laden with slaves, who, on the vessel's striking, all jumped overboard and escaped into the Bush. Commander Perry says that he thinks there were at least a hundred of them, principally children. He landed a party of men, but they were unable to track them through the thick bush, six of them, however, were subsequently delivered to him by the natives.

Commander Perry also informs me that he has heard that two slavers are shortly expected on that part of the coast, and as the squadron under his orders consists of three vessels only, he has purchased the coals of which he stood in need at Banana, rather than leave the coast for the purpose of obtaining them from Her Majesty's Depôt at this place.

I have further the honour to inform your Lordship that the Governor-General communicated to me the contents of a note that he had received by the last mail from Lisbon, to the effect that Senhor Fortunato d'Oliveira Botelho had despatched a vessel from Cadiz about the middle of April, to embark the slaves that were intended to be shipped on board the "*Virgen del Refugio,*" a vessel captured in February by the Portuguese schooner "Napier." The note in question further states that the embarcation is intended to take place between Benguela Velha and the River Tapado (the latter being the place where the "*Virgen del Refugio*" was captured); and that a person would come out in the steamer to superintend it. This note, although anonymous, was considered by the Governor-General and myself to merit serious consideration and attention. The writer evidently possessed complete information as to the intended shipment by the "*Virgen del Refugio,*" and a person of the name M. F. d'Oliveira Botelho came out by the steamer and proceeded to Benguela—the similarity of his name with that of the person mentioned in the note being a strong reason for receiving the information as correct. The Senior Officer of the Portuguese Squadron has sent the "Napier" to watch the coast, and will shortly proceed there himself; and Lieutenant Foot, of Her Majesty's ship "Lee," with whom I was fortunately enabled to communicate, is also cruizing in that neighbourhood.

The information conveyed is so precise, that if it should prove correct, it seems scarcely possible that the vessel can escape capture.

I have, &c.
(Signed) W. VREDENBURG.

No. 120.

Her Majesty's Commissioner to Earl Russell.—(*Received September* 22.)

(No. 18.)
My Lord, *Loanda, July* 9, 1864.

I HAVE the honour to transmit a translation of a despatch that I have received from the Governor-General, informing me that in conformity with renewed orders from his Government, it is his intention to send the Judge of the Relação Luiz, Antonio Figueredo, on a special mission to Benguela, to institute a vigorous inquiry for the purpose of discovering the persons who have been engaged in the Slave Trade in that district, and bringing them to judgment, and requesting me to communicate to him any facts in my possession by which the instructions he will have to give may be rendered more effective.

His Excellency, a few days ago, read to me a copy of Sir Arthur Magenis' note to the Duke de Loulé on this subject, and the despatch from the Minister of Marine and the Colonies to him. His Excellency, on that occasion, again bewailed the difficulty he experienced in finding confidential persons to whom he could confide inquiries of this nature. He stated that he had written to the Governor of Mossamedes, to request him to undertake the task; that functionary, however, excused himself on the ground of illness, he then said it was useless to nominate the Governor of Benguela, as he was suspected by me of connivance, that others whom he mentioned had not his confidence, and he then informed me that he had written to the President of the Relação, to request that one of the Judges of that Tribunal might be placed at his disposal. His Excellency proceeded to say that he should send the Judge down in the corvette "Sá da Bandeira," with orders that he was to live and sleep on board, to escape any undue influence, and to obviate the necessity of his accepting hospitality on shore from persons who might possibly be the culprits he was sent to discover.

His Excellency certainly adopted the best means in his power of obtaining a searching and strict investigation, and Judge Figueredo, with whom I am on terms of personal acquaintance, will, I think, perform his duties honestly and conscientiously. He is, fortunately, unburdened with any "compadres," nephews, or cousins—influences which few Portuguese can resist, and is, I think, above all mercenary temptations.

I have also the honour to transmit a copy of my despatch, in reply to the Governor-General. I was, unfortunately, unable to furnish him with any certain information as to the precise localities from which the slaves were shipped, but I indicated to his Excellency certain facts within our knowledge, and suggested that Judge Figueredo possessed a good point of departure for his inquiries.

The launch "*Sencivel*," which his Excellency mentions as having been captured and condemned, is the vessel the detention of which, on suspicion of having slaves on board intended for shipment in the "*Virgen del Refugio*," I reported to your Lordship in my despatch No. 7 of 15th March.

I am unacquainted with the details of the trial which took place at Benguella, but it appears to me that it might have been conducted in a mode that would have led to the detection of the persons engaged in the transaction.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure 1 in No. 120.

The Governor-General of the Province of Angola to Her Majesty's Commissioner.

(Translation.)
Most Illustrious Sir, *Loanda, July* 8, 1864.

IN consequence of a note which Her Britannic Majesty's Minister in Lisbon addressed to my Government, orders have been renewed to me, and energetically recommended to employ all possible means to discover any attempts to engage in the criminal Traffic in Slaves, in order to proceed with all the rigour of the laws against those who are so engaged. Wishing, in conformity with those orders, to make use of extraordinary measures, I

have resolved to appoint a Judge of the Relação Luiz Antonia de Figueredo, to proceed to a rigorous control ("syndicancia") in the district of Benguella, as it was there that the brigantine "*Virgen del Refugio*" and the launch "*Sencivel*" were recently captured and condemned as accomplices in the Slave Trade, which in a certain degree justifies the decision that I have come to, to cause inquiry to be made into that circumstance ("a preferencia de vigilancia que tenho determinado sobre aquelle ponto").

The corvette "Sa da Bandeira" will shortly sail with the controlling Judge (Luiz Syndicante), not only to serve him as quarters, so that he may be perfectly independent of any person in that district, but also that he may be easily conveyed to any point on the coast that may become suspicious during the course of the proceedings.

My object in communicating this information to you is to request that if you possess any facts which may contribute to produce a good result for the commission in which Senhor Luiz Antonio de Figueredo is engaged, that you will be pleased to communicate them to me, that with them I may render more effective the instructions that I have to give him.

God preserve, &c.
(Signed) JOSE BAPTISTA D'ANDRADE.

Inclosure 2 in No. 120.

Her Majesty's Commissioner to the Governor-General of the Province of Angola.

Most Excellent Sir, *Loanda, July* 9, 1864.

I HAVE been honoured by the receipt of the confidential despatch which your Excellency deigned to write to me yesterday, informing me that in consequence of a note addressed to the Government of His Most Faithful Majesty by the Minister of Her Majesty the Queen in Lisbon, your Excellency had received renewed orders to employ all possible means to discover the persons engaged in the criminal Traffic in Slaves, for the purpose of prosecuting them with all the rigour of the laws.

Your Excellency was pleased further to inform me that with that object in view your Excellency had determined to send to the coast of Benguella the Judge of the Relação, Senhor Luiz Antonio de Figueredo, with instructions to proceed to a rigorous inquiry; and that for the purpose of assuring his complete independence, and to facilitate his transport to any suspected point, he would go in the corvette "Sa da Bandeira," which vessel would also serve as his quarters.

Your Excellency further requested that I would communicate to your Excellency any facts in my possession which might tend to produce a good result for the mission with which Senhor Luiz Antonio de Figueredo is charged, by rendering more efficacious the instructions that your Excellency wishes to give to that Judge.

I regret to be obliged to inform your Excellency that I am unable to afford any precise information as to the points whence the many cargoes of slaves have been embarked during the last twenty months.

Your Excellency will comprehend that intelligence of that nature is most carefully withheld from me, and any information is generally obtained when the circumstance is publicly spoken of here, or news of the arrival of the vessels in Cuba is communicated to Her Majesty's Government by British Agents in that Island; were it otherwise, I might be able to frustrate the intentions of the slave-traders by causing one of Her Majesty's cruizers to be sent to the proposed point of embarkation.

It may be in your Excellency's recollection that in the month of January the Brazilian Consul informed your Excellency and myself that he had received information that a vessel had shipped a cargo of 500 or 600 slaves from the neighbourhood of Novo Redondo. I shortly after communicated to Commander Perry, of Her Majesty's ship "Griffon," the intelligence I had received that the "*Fortuna*" was expected on the coast for the purpose of engaging in the Slave Trade. Commander Perry, when last here on his return from the South, informed me that he had ascertained that the "*Fortuna*" had escaped from the coast of Benguella with a cargo of slaves. Your Excellency is no doubt aware that that vessel was subsequently captured by the Spanish authorities in Cuba. Those are facts into which Senhor Figueredo will doubtless make it his business to inquire.

The commission with which your Excellency has charged the Judge Figueredo is one of great delicacy and difficulty. We cannot shut our eyes to the fact that the opponents of the Slave Trade have but few friends in the province. Every means will be resorted to, to mislead and deceive him; but the shipments of slaves must be known to a vast number of persons, from some of whom, by good management, he may be enabled to obtain some certain and precise information. We are also possessed of the undoubted knowledge that the "*Virgen del Refugio*" was to have embarked a cargo of slaves in the vicinity of Egypto and the River Tapado, where she was captured. There he may and probably will obtain a knowledge of the intended shippers, and may also find a clue which, by the exercise of tact and judgment, will lead to a discovery of the principal culprits.

I avail, &c.
(Signed) W. VREDENBURG.

No. 121.

Her Majesty's Commissioner to Earl Russel.—(Received September 22.)

(No. 19.)

My Lord, *Loanda, July* 18, 1864.

I HAVE the satisfaction of reporting to your Lordship, that on the 10th instant Lieutenant-Commander Foot, of Her Majesty's ship "Lee," was fortunate enough to capture, about sixteen miles from shore, the vessel to which I referred in my despatch No. 16 of the 30th June. She was a fine barque, without flag or papers, of about 300 tons, fully equipped for the Slave Trade, and was, when captured, standing in between the River Tapado and Egypto.

Lieutenant-Commander Foot has sent her with a prize crew to St. Helena, to be tried before the Vice-Admiralty Court, having landed the Captain and crew at Quilombo. The Governor-General has this morning sent a cruizer, with a detach-

ment of soldiers, for the purpose of capturing them and bringing them to this city. His Excellency expresses a hope that he may be enabled to elicit from them some information that may assist the Judge Figueredo in the investigations that he is pursuing on the coast of Benguela.

I have heard that Commander Perry, of Her Majesty's ship "Griffon," has lately captured a vessel in the neighbourhood of the Congo, but I am unacquainted with the particulars.

I have, &c.
(Signed) W. VREDENBURG.

No. 122.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

(No. 20.)
My Lord, *Loanda, July* 18, 1864.

I HAVE the honour to transmit a copy of memoranda that I have drawn up for the information of the Commanders of Her Majesty's cruizers, containing intelligence that has come to my knowledge respecting slave vessels that may be shortly expected on the coast.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 122.

Memoranda for the information of the Commanders of Her Majesty's Cruizers.

Loanda, July 18, 1864.

I COMMUNICATED personally to Captain Marten the information in my possession respecting a certain Senhor Campos, who arrived here in the Portuguese mail steamer "D. Antonia," and a few days after his arrival proceeded to Ambrizette, under the pretence of taking charge of the estate of the deceased Senhor Guilherme, a notorious slave-trader of that place. His real object is to purchase a cargo of slaves, and superintend their shipment. I suggested to Captain Marten that it was advisable to watch the movements of Senhor Campos. It is now most desirable that his whereabouts should be known, as he is collecting slaves for a steamer that will, I have been informed, be sent to receive them. I am unable to give any information as to the period when the steamer may be expected, but suspect that the shipment will be attempted in the neighbourhood of Mangue Grande.

A vessel is now due on the coast for the purpose of shipping slaves. I cannot furnish the precise point whence they are to be shipped, my informant merely stating that the embarcation will take place well to the northward. Commander Perry has informed me that he tracked a large number of slaves from Vista to Killongo, and that he thinks that they are the slaves to which my informant referred, and that the shipment is intended to be made at the latter place. This information will, I fear, be communicated too late to be of service.

The Rear-Admiral commanding the French squadron last week informed me that many suspicious circumstances had come to his knowledge, which led him to believe that a considerable Slave Trade is carried on near the River "Cama."

(Signed) W. VREDENBURG, *Her Majesty's Commissioner.*

No. 123.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

(No. 21.)
My Lord, *Loanda, July* 26, 1864.

WITH reference to my despatch No. 20 of 18th instant, and its inclosure, I have the satisfaction of acquainting your Lordship that I was informed last evening, by Staff-Commander Roberts, of Her Majesty's store-ship "Wye," that Commander Battiscombe, of Her Majesty's ship "Snipe," had captured, in the neighbourhood of Kilongo, a vessel fully fitted out for the Slave Trade. That vessel is doubtless the one referred to in my second memorandum.

I have further the satisfaction of reporting that, on or about the 8th instant, a fore-and-aft schooner, from Havana, was captured at anchor off Vista, by Her Majesty's ship "Dart." She was manned principally by Americans and was to have shipped her cargo on the following morning. On the boats shoving off to board, she hoisted Danish colours, but hauled them down before the boats arrived alongside. In default of papers, she was sent by Commander Richards to St. Helena for adjudication.

I have, &c.
(Signed) W. VREDENBURG.

No. 124.

Her Majesty's Commissioner to Earl Russell.—(Received October 12.)

(No. 22.)

My Lord, *Loanda, July 26, 1864.*

IN my despatch No. 5 of the 7th March I had the honour of reporting to your Lordship the capture by the Portuguese war schooner "Napier" of the Spanish brigantine "*Virgen del Refugio*," while at anchor near the River Tapado; and in my despatch No. 7 of the 15th March, I transmitted a copy of the judgment of the Prize Court, condemning her as a good prize for being engaged in the Slave Trade. This vessel was captured in Portuguese waters, by a Portuguese ship of war, condemned by a Portuguese Court, and the captain and crew lodged in gaol; it was, therefore, scarcely possible to conceive that justice could by any possibility be defeated in this case.

To my great astonishment, I learnt a few days ago, that in direct violation of Portuguese law, the captain had been admitted to bail for the trifling amount of 400 milreis, and had (as must have been expected and intended) absconded. I immediately sought an interview with the Governor-General, and mentioned the circumstance to him. His Excellency answered that I must most certainly have been misinformed, as no communication on the subject had been made to him, and that the law did not admit of bail in cases of slave-trading. He added that he would immediately inquire into the subject. The same day he told me that he had ascertained that the information I had received was correct, that Judge Dantas had admitted the prisoner to bail, and that he had fled. His Excellency appeared greatly annoyed; he said that acts of this nature threw discredit on all persons in authority, caused them to be suspected of connivance, however innocent they might be, or desirous of acting honestly and in accordance with their duties and conscience; and that he should immediately direct the Procurador Regio to report to him on the subject, for the information of his Government.

The whole of the circumstances of this case leave no doubt in my mind as to the venality of the Judge. The name of Mr. Guilherme Peixoto is not unknown in the Foreign Office; he was frequently employed, or supposed to be employed, by the late Mr. Gabriel, in the capacity of clerk, when that appointment was vacant. Mr. Gabriel, as he mentioned to Mr. Hewett, had so little confidence in him that he would not allow him to see his despatches; the consequence was, that until my arrival no drafts had been copied into the despatch-book since March 1860. Mr. Peixoto is entirely without means or character; he, notwithstanding, was the person whom the Judge accepted as bail. Small as was the penalty, it was entirely beyond Mr. Peixoto's means: the sum of 400 milreis was, nevertheless, paid into the Treasury without the slightest delay.

Your Lordship will, I am satisfied, be of opinion that the Portuguese Government are bound to take serious notice of so gross a case of *malfeasance* in a Judge; by his misconduct not only has the captain escaped, but others, more guilty, who would probably have been compromised by disclosures at the trial, have also escaped punishment.

I have, &c.

(Signed) W. VREDENBURG.

No. 125.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

(No. 23.)

My Lord, *Loanda, July 29, 1864.*

I HAVE the honour to acknowledge the receipt of Mr. Layard's despatch No. 5 of the 31st March, transmitting to me, by your Lordship's directions, copies of a correspondence which had passed between the Foreign Office and the Treasury, respecting the extension of the postal service to this port, and beg to tender my grateful thanks for the trouble that has been taken in endeavouring to get my proposed arrangement accepted.

Her Majesty's vessels that are sent to Fernando Po for the mails, leave their stations for that port without coming here to receive my correspondence; unless, therefore, a chance opportunity presents itself, I have no other means of sending my correspondence to London, but by the steamers of the Portuguese Company

União Mercantil. That Company has been for some time in a state of dissolution, but it has lately been stated here that it is to be reorganized on a sound and proper basis, a very considerable number of new shares having been disposed of in England. Should such be the case (and as more certain information on the subject can be obtained in Lisbon than here, your Lordship will perhaps be good enough to order inquiries to be made there) there can be no doubt that it would be more desirable to send my despatches to Sir Arthur Magenis, for transmission to me, than to forward them by the African Company's vessels. The visits of Her Majesty's ships to Fernando Po, for the purpose of bringing the mails, being very uncertain and irregular, the orders to the Senior Officer are to send a vessel every other month, when one can be spared; and it frequently happens that three, and even four months elapse without my receiving any mails.

I must pray your Lordship to pardon my making use of the paper on which this despatch is written. So long ago as last November Mr. Hertslet, to whom I had written to request that he would send me a supply of despatch paper, wrote to inform me that the paper had been sent to the Admiralty, and would be forwarded to me by the "first Queen's ship;" but, although many have since arrived on the coast, I have not yet received the paper, and am unable to procure any here.

I have, &c.
(Signed) W. VREDENBURG.

No. 126.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

(No. 24.)

My Lord, *Loanda, July 29, 1864.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 6 of April 5, in which your Lordship is pleased to convey your approval of my communication to the Commander of the "Archer," relative to the Slave Trade carried on from the Portuguese possessions to the southward of this city, and of my proposed visit to the South Coast.

I have not yet received an official answer to my application for a cruizer to take me down, but Captain Marten, who has succeeded Captain Bythesea in the command of the "Archer," told me a short time ago that he would himself give me a passage.

I cannot conveniently absent myself at present, as Mr. Hewett has been compelled by the state of his health to apply for six weeks' leave of absence; and I also consider it better to defer my intended expedition until the Commissioner that the Governor-General has sent to the Coast of Benguela has made his Report.

I have, &c.
(Signed) W. VREDENBURG.

P.S. *August* 8.—Mr. Hewett returned yesterday, and has again entered on the performance of his duties. He was absent a fortnight.

No. 127.

Her Majesty's Commissioner to Earl Russell.—(Received September 26.)

(No. 25.)

My Lord, *Loanda, July 30, 1864.*

IT has frequently happened, during the many interviews that I have had with the Governor-General for the purpose of communicating and receiving information respecting the Slave-trade, and on the occasion of the friendly visits that I have received from and paid to him, that his Excellency has entered into confidential conversation with me on matters connected with his government of the province.

A short time ago his Excellency spoke to me about a series of letters that had been published in the Lisbon journals, containing gross and violent attacks on him and his Administration. The letters in question were written by, and bore the signature of Senhor Barbozo Leão, Secretary to the late Governor-General Calheiros. One of the most serious charges made against his Excellency was that he had, in consequence of his being under the influence of the British authorities at this place, sacrificed the colony of St. Thomas by preventing the emigration to that island of black colonists from this province. His Excellency read to me the draft

of a despatch that he had written to the Minister of Marine and the Colonies on the subject. In that despatch he stated that during the administration of Senhor Calheiros, which lasted about nineteen months, 1,125 passports had been granted to blacks who were designated therein "free," whereas during his administration, which had lasted a longer period, eleven passports only had been given to free blacks; that the great difference was explained by the circumstance of his never giving a passport to a so-called "free black" without instituting inquiries, and satisfying himself that the man was really and truly free and desirous of emigrating.

His Excellency then said to me that although he could not in a despatch to me admit the fact, as it would reflect on the conduct of his predecessor, he knew in his conscience that the so-called free colonists to whom passports had been given were in reality slaves. With respect to the charge of his being under my influence, for such as his Excellency observed was to what in fact it amounted, he in a very proper and dignified manner treated it in his despatch to the Minister with deserved contempt, and appealed to his previous services and character.

It is scarcely necessary for me to say that I in no way possess the influence that is attributed to me, nor is any influence nor pressure needed to induce his Excellency to perform his duties. It would be impossible to find a more candid, honest, or single-minded man. Efforts are therefore constantly made to mislead and deceive him, and persons seriously compromised in slave-trading have been proposed to him for appointments by influential persons from whom such conduct could scarcely have been expected. I have on those occasions thought it my duty to represent to his Excellency the impropriety of giving office to such persons, and he has invariably refused to ratify the appointments. It has then of course been said that he was acting under undue influence, although I am satisfied that he would have adopted the same course had I abstained from any representations on the subject.

A few days ago his Excellency spoke to me of a paragraph in a Lisbon newspaper, containing the account of the presentation by the inhabitants of St. Thomas of a sword of honour to Senhor Calheiros, as an acknowledgment of the services rendered by him to that colony, and of his resistance to British assumption and pressure. The following day he sent to me a copy of the paper, accompanied by a private note, which I have the honour to transmit for your Lordship's perusal. I do not wish to weaken its tenor, and therefore do not translate it, but his Excellency therein states that he neither expects nor desires distinction for such reasons, that he is suffering much opposition from the slave-traders in consequence of the tranquillity with which he frustrated many of their plans, but that which he considers the most remarkable circumstance is, that it appears by the notes of Her Majesty's Government that he is suspected; that he is not surprised at that, as he knows the land in which he finds himself, to which he came much against his desire, and to leave which he had done all that he could do with dignity, and that after his departure only would he expect impartiality in the appreciation of the acts of his government. I regret that I have been unable to obtain a copy of the "Jornal do Commercio" of the 22nd May, in which the article appeared for transmission to your Lordship, but I took an early opportunity of informing his Excellency that I felt certain that Her Majesty's Government in no way intended to reflect on him; his answer was, that your Lordship spoke generally of "Portuguese authorities," and that the observation must include him as the chief of them. I have already dwelt on the honesty and good faith of the Governor-General, and it would be I think gratifying to him, and would certainly be satisfactory to me, if I had your Lordship's authority to assure him that no reflection or imputation was intended to be cast on him.

It is scarcely necessary for me to say that it was his Excellency's wish that his private conversations with me relative to his administration should not be made public.

I may be permitted to add another fact, to explain the great number of so-called emigrants or colonists who left this province for St. Thomas' during the administration of Senhor Calheiros. It is well known here that the Government was virtually in the hands of the Secretary Senhor Barboza Leão, who received a heavy fee on the passports which were granted; he was therefore but too ready to give any number that might be applied for, and the slave-owners on their part were equally ready to send their slaves to St. Thomas', where they could dispose of them for a very large price.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 127.

The Governor-General of the Province of Angola to Her Majesty's Commissioner.

(Private.)

Excellentissimo Amigo e Senhor, *Loanda*, 17 *Julho*, 1864.

REMETTO o Jornal em que se falla na tal espada de honra.

Por semelhante motivo não espero nem desejo distincção: pelo contrario estou sofrendo muita oposição dos negreiros inimigos da paz com que lhes transtornei muitos planos; e o mais notavel de tudo é que pelas notas do Governo de Sua Magestade Britanica, parece que lhe son suspeito. Não julgue que estranho isto, pois sei bem a terra em que estou vim para ella muito contra minha vontade, e tenho feito quanto com dignidade pode fazer-se para retirar-me. Só depois da minha auzencia é que espero imparcialidade na apreciação dos actos do meu Governo.

Desculpe este, &c.

(Assignado) JOZE BAPTISTA D'ANDRADE.

No. 128.

Her Majesty's Commissioner to Earl Russell.—(*Received September* 26.)

(No. 26.)

My Lord, *Loanda, August* 12, 1864.

I HAVE the honour to report to your Lordship that I have received a communication from Commander Richards of Her Majesty's ship "Dart," in which he informs me that he had captured on the 22nd of last month in latitude 3° 20′ south, and longitude 10° 30′ east, the brigantine "*Melvira*" otherwise "*Charles*," equipped for the Slave Trade, but without slaves on board.

She was owned by an Italian named Giuseppi Botteio, and the master and crew were all Italians. She was boarded under Italian colours, which were hauled down on the discovery of Slave Trade equipment.

The "*Melvira*" sailed from London on the 22nd April, and was provided with some papers from the Italian Consulate, bearing the signature of "G. B. Heath." She touched at the Ilha do Sal, one of the Cape de Verde Islands, and left that place on the 18th May with the ostensible destination of Little Fish Bay.

With reference to the last paragraph in my despatch No. 18 of the 19th July, I have further the honour to inform your Lordship, that I have since received more certain information on the subject, and that the vessel, the capture of which I erroneously attributed to Her Majesty's ship "Griffon," is the one taken by Her Majesty's ship "Dart" off Vista, as reported by me to your Lordship in my despatch No. 21 of 26th July.

I have, &c.

(Signed) W. VREDENBURG.

No. 129.

Her Majesty's Commissioner to Earl Russell.—(*Received September* 26.)

(No. 28.)

My Lord, *Loanda, August* 14, 1864.

I HAVE been requested by the Governor-General to ask your Lordship to have the kindness to forward the accompanying despatch for his Government. It is to bring to their knowledge the fact that a person against whom grave suspicions of slave-trading existed, had left this city for Lisbon without a passport.

I have, &c.

(Signed) W. VREDENBURG.

No. 130.

Earl Russell to Her Majesty's Commissioner.

(No. 13.)

Sir, *Foreign Office, October* 15, 1864.

I HAVE received your despatch No. 20 of the 18th of July last, and I have to convey to you my approval of the measures which you furnished to the Commander

of Her Majesty's cruisers respecting vessels likely to be engaged in the Slave Trade.

I am, &c.
(Signed) RUSSELL.

No. 131.

Earl Russell to Her Majesty's Commissioner.

(No. 14.)
Sir, *Foreign Office, October* 15, 1864.

I HAVE received your despatch No. 24 of the 29th of July last, and I have to acquaint you that I approve of your deferring your intended expedition to the coast lying south of Loanda until the Commissioner, whom the Governor-General has sent to that coast for the purpose of obtaining information respecting the Slave Trade, has made his report.

I am, &c.
(Signed) RUSSELL.

No. 132.

Earl Russell to Her Majesty's Commissioner.

(No. 15.)
Sir, *Foreign Office, October* 15, 1864.

I HAVE received your despatch No. 25 of the 30th of July last, reporting a conversation which you held with the Governor-General of Angola upon matters connected with the Slave Trade, and I have to convey to you my approval of your language upon that occasion.

I am, &c.
(Signed) RUSSELL.

No. 133.

Mr. Layard to Her Majesty's Commissioner, No. 16, *October* 15, 1864.

[Transmitting Slave Trade information.]

No. 134.

Her Majesty's Commissioner to Earl Russell.—(Received November 14.)

(Separate.)
My Lord, *Loanda, August* 27, 1864.

WHEN your Lordship did me the honour to nominate me as Her Majesty's Commissioner in this city, your Lordship fixed my salary at 1,000*l.* a-year, that amount being 300*l.* less than my predecessor Mr. Gabriel received. As I had not at that time performed any active duties in the post of Arbitrator, which I then held, I considered that it would be ungrateful and disrespectful to your Lordship to make any observations as to the reduction of the salary; but I have now been eighteen months in the exercise of my duties as Commissioner, and your Lordship will, I trust, not think me importunate, if I solicit a reconsideration of the amount of my salary. To justify that request it is incumbent on me to show that my remuneration is below that awarded to others filling a post similar to the one I hold, and that the duties I fulfil are at least as arduous and responsible as are performed by others. My observations are based on the Estimates (V) submitted to Parliament in the month of March.

Her Majesty's Commissioners may be divided into two classes: those that hold the office of Commissioner alone; and others that hold that appointment combined with that of Consul. The former class is composed of Her Majesty's Commissioners at Sierra Leone and the Cape of Good Hope. They have respectively salaries of 1,500*l.* and 1,200*l.* a-year. The Commissioners holding the joint appoint-

ments (to which class I belong) are those of Havana, New York, and Loanda. Mr. Crawford, it appears, receives—

	£
As Consul-General	1,000
Additional salary as Commissioner	500
Probable amount of Consular fees	1,000
	2,500

Mr. Archibald receives—

As Consul	1,200
Allowance	900
Additional as Commissioner	500
	2,600

Your Lordship will perceive that the Commissioner at the Cape of Good Hope receives 200*l.* a-year, and the Commissioner at Sierra Leone 500*l.* a-year more than I, and that the gentlemen who hold, like myself, the joint appointments of Commissioner and Consul, receive (if I am correct in my estimate of the fees), the Commissioner at Havana 1,500*l.* a-year more than I, and the Commissioner at New York 1,600*l.*

On the question of the duties to be performed, and the responsibility attached thereto, I can, I think, fearlessly appeal to your Lordship. Those duties are not confined here to sitting as a Judge in the Court of Mixed Commission. I live on that part of the Coast of Africa where the Slave Trade is and always has been the most active, and in a hot-bed of slave-traders, whose proceedings I am constantly occupied in observing. I have to communicate with, and furnish information to, the Commanders of Her Majesty's ships, composing the largest and most important division of the squadron, and I have to be in almost daily communication with the Governor-General, for the purpose of giving information to and receiving it from him; and not the least anxious part of my service is the constant, though vain, endeavour to compel the subordinate Portuguese authorities to perform their obligations. These special duties are, I believe, confined to this place and Havana.

I may, I think, without exaggeration assert that my duties are at the least as arduous and responsible as those of any other of Her Majesty's Commissioners; on that point, however, the means of judging are in your Lordship's hands.

In addition to his appointment as Commissioner, Mr. Gabriel had the charge of Her Majesty's coal depôt at this place. It was your Lordship's opinion that that office could not properly be held by me. To that decision I bowed; but the effect was to deprive me of 300*l.* or 400*l.* a-year, and to make a difference between Mr. Gabriel's income from official sources and mine of 600*l.* or 700*l.* yearly. In conclusion, I may be permitted to observe that so notorious is the insalubrity of the climate that I vainly endeavoured to effect an insurance on my life before I left England.

I most humbly request that your Lordship will, in view of the facts that I have had the honour to submit to your Lordship's consideration, grant to me, as Commissioner and Consul, the same amount of salary that my predecessor received as Commissioner alone, recalling to your Lordship's recollection that the amount of the salary had already received a diminution of 200*l.* a-year on the resignation of Sir George Jackson, and the appointment of Mr. Gabriel.

I have, &c.
(Signed) W. VREDENBURG.

No. 135.

Mr. Layard to Her Majesty's Commissioner, No. 17, November 23, 1864.

[Transmitting Slave Trade information.]

No. 136.

Mr. Layard to Her Majesty's Commissioner.

(Separate.)

Sir, *Foreign Office, November* 23, 1864.

I AM directed by Earl Russell to acknowledge the receipt of your despatch, marked Separate, of the 27th of August last, requesting that the amount of the

salary attached to your appointment as Her Majesty's Commissioner at Loanda may be reconsidered, with the view to its being increased; and, in reply, I am to state that Lord Russell sees no reason for altering the arrangements he made when, on the decease of Her Majesty's late Commissioner at Loanda, he fixed the amount of your salary at 1;000*l.* a-year.

I am, &c.
(Signed) A. H. LAYARD.

No. 137.

Her Majesty's Commissioner to Earl Russell.—(*Received November* 25)

(No. 29.
My Lord, *Loanda, September* 20 1864.

WITH reference to my despatch No. 18 of the 9th July, I have the honour to acquaint your Lordship that I have been informed by the Governor-General that he has sent to Lisbon by a sailing vessel, the report of the Judge who went to Beuguela for the purpose of enquiring into the cases of slave-trading that had occurred in that district.

His Excellency was not very communicative on the subject, his reticence I imagine having been caused by his thinking that it would be improper to make known the result of an enquiry ordered by his Government before it was communicated to them; but I was able to ascertain that no certain proofs were obtained, the persons most suspected boldly declaring that no slaves had been shipped from that district for many years. Judge Figueiredo was unfortunately obliged to return before he had completed his investigations, in consequence of the small-pox having broken out on board the corvette in which he was a passenger.

Your Lordship will no doubt have been made acquainted with the information that Judge Figueiredo may have succeeded in obtaining, before the receipt of this despatch. The Portuguese steamers have ceased running since June, and I have but few and uncertain opportunities of forwarding my correspondence.

I have, &c.
(Signed) W. VREDENBURG.

No. 138.

Her Majesty's Commissioner to Earl Russell.—(*Received November* 25.)

(No. 30.)
My Lord, *Loanda, October* 3, 1864.

I HAVE to report that I have been resident at my post and in the execution of my duties as Her Majesty's Commissioner during the whole of the quarter ended the 30th ultimo.

I have, &c.
(Signed) W. VREDENBURG.

No. 139.

Her Majesty's Commissioner to Earl Russell.—(*Received January* 11, 1865.)

(No. 32.)
My Lord, *Loanda, October* 21, 1864.

WITH reference to my despatch No. 27 of the 20th of May, 1863, and your Lordship's despatch No. 10 of June 20 of the present year, I have the honour to acquaint your Lordship that the Governor-General has repaid to me the sum of 50*l.*, being one-half of the Proctor's fee, the whole of which had been paid by Her Majesty's Government from their moiety of the proceeds of the Portuguese brigantine "*Laura*," prize to Her Majesty's ship "Zebra," and condemned by the Court of Mixed Commission established in this city.

I have, &c.
(Signed) W. VREDENBURG.

No. 140.

Her Majesty's Commissioner to Earl Russell.—(Received December 22.)

(No. 33.)

My Lord, *Loanda, October 25, 1864.*

I HAVE the honour to transmit my Annual Report on the Slave Trade, made up to the 30th September, in obedience to the instructions conveyed in your Lordship's despatch of the 18th June, 1860.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 140.

Annual Report on Slave Trade.

IN consequence of the numerous prizes made by Her Majesty's cruizers at the end of the year 1862 and the early part of the following year, the plans of the slave-traders in the Congo and its vicinity were completely disorganized. Towards the commencement of the present year they appear to have in some degree recovered from the stunning effects of the heavy blows they had received, and some spasmodic attempts were made to ship slaves; they were, however, prepared without system or concert, and with the exception of a brig that left Moanda in January with 600 slaves, I have no reliable information that any other vessel has succeeded in making her escape; the others that have appeared on the coast have been captured. This result is due to the energy and untiring activity of the Commanders of Her Majesty's ships. I heard from many quarters that an American vessel had in June or July shipped a cargo of slaves, and got away; but Commander Perry, who was Senior Officer at that period, expresses his total disbelief of the report, and from the known zeal and intelligence of that officer I place the greatest confidence in his opinion.

The strength of the South Division of the squadron has been far from sufficient to watch so extended a line of coast. Sickness has also been prevalent among the crews. Many vessels have consequently been compelled to leave their stations, and the squadron has been frequently reduced to three vessels; great credit is therefore due to the officers who with such limited means have produced so satisfactory a result. The slave-traders in the Congo have been put to great expense for the maintenance of the slaves that they had collected for shipment, and the price has varied considerably, having been very high as the period approached when a vessel was expected, and falling to a nominal price when the intelligence reached them that she had been taken. Their losses during the last two years have been so great that it is frequently stated in this city that many of the large slave-trading houses at Porto da Lenha intend to renounce their infamous traffic, and embark in legitimate trade. The parties themselves, so far from showing an intention of relinquishing their present occupations, have not hesitated to declare to the Commanders of Her Majesty's ships that should the present Captain-General of Cuba be removed, the Slave Trade would show all the vitality that it exhibited a short time ago. The profits on slave-trading, when moderately successful, are so large that I have little doubt that if the persons now engaged in that pursuit were to retire, others would immediately occupy their places.

Formerly the whole population of this city was absorbed in the one pursuit of slave-trading. At present the larger number are engaged in legitimate trade; while a not inconsiderable class combine a certain amount of indirect illegal traffic with their ordinary occupations. Those who make slave-trading their entire aim are to be found in the Congo and the adjacent coast.

One vessel only has been sent for trial before the Mixed Commission. She was a small coasting craft, called the "Congo." She was totally unprovided with papers to legalize her voyage; but it was clearly proved that the owner had been on more than one occasion robbed and ill-treated by the natives at Porto da Lenha, and that the cargo with which she was loaded was intended to be landed at Ambriz, at which place he was desirous of establishing himself. He had committed an offence against the laws of nations and the laws of Portugal; but as there did not exist the slightest evidence showing an intention to engage in the Slave Trade, the vessel was released and restored to her owner.

Although the Governor-General has scrupulously adhered to his determination not to grant passports for St. Thomas to slaves, every vessel bound to that island has conveyed ten libertos. The Guarda Môr has been instructed to explain to them the nature of their position when he makes his visit to the vessels prior to their departure. A short time ago the Governor-General having reason to suppose that two men, for whom passports as libertos had been obtained, were in reality slaves, directed a special inquiry to be made into the case; the men, on being questioned, stated that they were slaves; the person who accompanied them declared, on the contrary, that they were free. The master and the men were ordered to be landed, and the former sent to jail. He showed subsequently that as he had never caused the men to be registered as slaves, they were by the action of the law free; he thus escaped a criminal prosecution. Can there be any doubt that these men would have been reduced to a state of slavery had they arrived at St. Thomas? They considered themselves slaves, and had probably no knowledge of the law that rendered their registration necessary.

I have called attention to this case to show how persistent are the owners of slaves in their endeavours to send them to St. Thomas, and the artifices they resort to to accomplish their ends. The accounts from that island mention the frightful mortality among the black population from small-pox during the last four months; every effort will therefore be made to supply their loss, but it is not from this city or province that the larger number will be obtained. The coast between the Gaboon and Cape St. Catherine will furnish the principal supply, as it has heretofore done. The French Admiral informed me not long ago that he had captured a Portuguese felucca with 30 or 40 slaves that had been embarked in French territory for the Islands of Princes and St. Thomas. The master and crew he had caused to be imprisoned, and the slaves he lodged in comfortable huts and supplied with rations, but they all ran away immediately and returned to their former owners. The mode of proceeding appears to be the following:—Senhor José Maria Prado is the owner of large estates in St. Thomas; he also holds a contract for the supply of the French settlement on the Gaboon with cattle. The beasts are shipped at Benguela and transported to the Gaboon. The vessels, after discharging them, proceed to

the coast between that place and Cape St. Catherine, particularly the neighbourhood of the River Cama, and there embark slaves whom they convey to St. Thomas'. Senhor Prado was the owner of the brigantine "Liberdade," captured by Her Majesty's ship "Zebra" on the 20th November, 1862. There was, it is true, a simulated sale and transfer of that vessel effected by Senhor Prado at St. Thomas to avoid the penalties on the bond signed by him at Loanda. No one was duped by that proceeding, but he thereby escaped punishment.

The most anxious and harassing portion of my duties has been that connected with the slave-trading on the coast of Benguela. All my efforts have been unavailing to obtain proofs of the criminality of the persons against whom exist suspicions almost amounting to conviction. The Governor-General sent down a special Commissioner for the purpose of obtaining evidence, with the view to the prosecution of the offenders, but I have been given to understand that he was not very successful; the subordinate authorities are in league with the slave-traders, and share their scandalous and ignominious gain. The Governor-General has done all in his power to impress on the minds of those persons the obligations and duties that they owe to society, and the nation whose servants they are, but neither remonstrances, threats, nor dismissals, have produced any effect. The greater number of functionaries, both civil and military, consider that while in Africa they may use, without dishonour, any means to obtain money, and the low tone of morality which a long course of slave-trading has produced excuses and encourages that opinion here. Nor can the Portuguese Government be acquitted of all blame, as it is a well-known fact that many of the most notorious slave-traders, men whom the laws of Portugal treat as criminals, have been honoured, decorated, and even ennobled by that Government. The Governor of Benguela, to whose apathy and indifference are to be attributed the great proportions that the Slave Trade has assumed in that district, has at his own request been superseded; his successor will shortly be at his post, and by a proper exhibition of vigilance and severity he may put a stop to proceedings which disgrace his country and outrage humanity.

Three slave-ships have been captured near the coast of Benguela. A Spanish brigantine, the "*Virgen del Refugio*," was taken by His Most Faithful Majesty's ship "Napier" while lying at anchor near the River Tapado and condemned by the Portuguese Prize Court (Tribunal de Presas). A Portuguese launch, the "*Sencivel*," that was acting in concert with her, has also been condemned; and Her Majesty's ship "Lee" captured a barque fully equipped for the Slave Trade as she was making for the same spot. This last vessel was taken in consequence of information of a very precise nature communicated to me by the Governor-General, and which I conveyed to the commander of the "Lee."

Captain João Baptista Garção, since he took the command of the Portuguese squadron in January last, deserves the highest praise for the energy and zeal with which he has acted. The ships under his orders have been constantly kept at sea, and he with his own ship has been generally cruising, having come into harbour only when it was necessary to coal and refit. In that respect he has been in marked contrast with his predecessor.

It is, I think, probable that for some time the Slave Trade in Portuguese possessions to the southward of this city will be less active, but it is much to be desired that the south division of the squadron should be strengthened, so as to permit a cruiser to be more frequently stationed on that coast.

Loanda, October 25, 1864.

(Signed) W. VREDENBURG, *Commissioner*.

No. 141.

Her Majesty's Commissioner to Earl Russell.—(Received December 22.)

(No. 34.)

My Lord, *Loanda, October* 26, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 11 of the 16th of July, inclosing copies of despatches from Her Majesty's Minister at Lisbon and the Portuguese Minister of Foreign Affairs, notifying the appointment, by Decree dated the 1st of June, of the Judge of the Relação, Senhor Bernardo Soares Vieira da Motta, as Arbitrator, and Senhor Antonio Casimiro d'Almeida e Figueiredo, as Secretary of the British and Portuguese Mixed Commission Court in this city.

Senhor Antonio Casimiro d'Almeida e Figueiredo has been acting in the capacity of Secretary for the last two years; Senhor Urbano Pereira de Castro, whose removal from his post by Decree of the same date is announced, having left Loanda nearly three years ago.

I have, &c.

(Signed) W. VREDENBURG.

No. 142.

Earl Russell to Mr. Vredenburg.

(No. 18.)

Sir, *Foreign Office, December* 23, 1864.

WITH reference to your despatch No. 49 of the 4th of December of last year, I inclose, for your information, copies of a correspondence which has passed between me and the Portuguese Minister at this Court relative to the application addressed by Senhor Figueiredo, the Portuguese Secretary to the Mixed Commission Court, to the Commissioners, requesting that a gratuity may be awarded to him for services of an unusual and special nature rendered by him in cases of several vessels that have come before the Mixed Commission Court for adjudication.

You will see that in my letter to Count Lavradio I not only informed him that I should have much pleasure in authorizing you to pay to Senhor Figueiredo the sum of 25*l.*, as suggested by you, but that I also requested the Portuguese Minister to use his influence in support of the application which Senhor Figueiredo proposed to address to his Government for an increase of the very small and insufficient salary assigned to him.

I have not received any communication from Count Lavradio on this subject of a later date than his note to me of the 26th of March last, but I nevertheless authorize you to pay to Senhor Figueiredo the sum of 25*l.* as the British proportion of the gratuity which the Commissioners propose should be awarded to him, and you will charge the amount in the quarterly account of the contingent expenses of the Commission.

I am, &c.
(Signed) RUSSELL.

LOANDA. (*Board of Superintendence.*)

No. 143.

Her Majesty's Commissioner to Earl Russell.—(*Received January* 5, 1864.)

(No. 4.)

My Lord, *Loanda, November* 20, 1863.

I HAVE the honour to transmit a list of liberated Africans in charge of the Board of Superintendence on the 31st of September.

In the Blue Book presented this year to Parliament, page 53, Inclosure to No. 37, it appears that on the 31st of December, 1861, there were 62 liberated Africans in charge of the Board. Five captured in the launch "*E*" have since been added to that list. I have repeatedly desired the Curator to supply me with a specific and detailed statement showing what has become of those unaccounted for in the accompanying list. I have hitherto been unable to obtain it. I shall not lose sight of the matter, and as soon as I am furnished with the information I require I will communicate it to your Lordship.

I have, &c.

(Signed) W. VREDENBURG.

P.S. November 24.—I have further the honour to transmit a list of the libertos who have died and absconded since the 31st of December, 1861, and a statement showing the number remaining in charge of the Board of Superintendence on the 30th of September.

W. V.

Inclosure 1 in No. 143.

List of Libertos in charge of the Board of Superintendence on the 30*th of September*, 1863.

(Translation.)

In the service of Dona Thereza d'A e'Castro :—

João Congo, Izidoro Tapioca, Christovão Muaï, Guilhermina Maiamba, Amalia Cambiza, Mariana Muquenza, Maria Guengue, Maria Mangula.

In the service of Colonel Rudzki :—

Januario Buaquina, José Panzo.

In the service of F. M. Gomes Teixeira :—

Onofre Zundo, Paulo Matenda, Paulo Bengue.

In the service of I. M. da Camara :—

Thomazia Massango, Josefa Quanhama, Antonia Finda, Luzia Pute, Maria Mangula.

In the service of L. G. de Carvalho Vieira :—

Leocadia Monambize, Marianna Massanga, Francisca Babacala, Candida Muloge.

In the service of Josefa P. de S. Pirez :—

Maiala.

In the service of Dona Anna V. de S. Escoria :—

Julianna Humbe, Catharina Muamba.

In the service of Amancio J. de Silveira :—

Gervasio Massoque.

In the service of Antonio J. Escorcio :—

Rafael Gragate.

In the service of the Municipal Chamber :—

Paulo Panzo, João Segundo, Jeronimo Mazinga, Manoel Nongo, Domingo Massamba.

In the barracks of the Provincial Government :—

Carolina, Paulo Sombo, Antonio, Marcelina Malonga, Manassuca, Christina, Maputa, Marianna Quembe, Pedro Jaõa, Maiala, Catharina Melande, Emidio Manoana, Gregorio Manacula, Manoel, Agostinho Joaquim, Tiberio Sumbo, Mariana Sanga, Maria Ambriz, Marianna.

In the service of the Secretary of Mixed Commission :—

Virginia Helena.

In the service of the Naval Department :—

João Antonio, Paulo Macena, Carolina Antonia, Carolina Ginga.

St. Paul de Loanda, October 1, 1863.

(Signed) M. A. DE CASTRO FRANCINA, *Curator of Liberated Africans.*

Inclosure 2 in No. 143.

Nominal Statement of Libertos of the Board of Superintendence who have Died and run away during the year 1862 and the three-quarters of the present year.

(Translation.)

Died (10).—Trula, Luzia, Rodolpho, Samba, Adrianna Huelle, Pedra Canga, Sabi, Thomazia, João Cuco, Izabel.

Run away (2).—João, Pedro.

St. Paul de Loanda, November 21, 1863.

(Signed) M. A. DE CASTRO FRANCINA, *Curator.*

Inclosure 3 in No. 143.

Minute.

(Translation.) *Curatorship of Negroes of the Board of Superintendence.*

Present on the 31st of December, 1861 :—Libertos of both sexes	63
From the launch "*E.*"—Negroes liberated by Judgment of the Mixed Commission, November 27, 1862	5
	68
Died between January 1862, and the end of September 1863	10
Ran away during the above period	2
	12
Present at the end of September 1863	56

N.B. The number of libertos now present includes 29 men and 27 women ; so that in the statement made on the 31st of December, 1861, there was an error of 1.

Loanda, November 23, 1863.

(Signed) M. A. DE CASTRO FRANCINA, *Curator.*

No. 144.

Earl Russell to Her Majesty's Commissioner.

(No. 2.)

Sir, *Foreign Office, January* 23, 1864.

I HAVE received your despatch No. 4 of the 20th November last, inclosing lists of the liberated Africans in charge of the Board of Superintendence, and stating that you have repeatedly, but unsuccessfully, desired the Curator to supply you with a specific and detailed statement, showing what has become of those unaccounted for, as shown in the lists which accompany your despatch.

I have in reply to observe, that it does not appear from the lists in question that there are any libertos unaccounted for, as you state that on the 31st December, 1861, there were 62 negroes in charge of the Board, and that 5 were captured in the launch "*E*," thus making a total of 67.

Now List No. 1 accounts for 56, and List No. 2 gives the names of 10 who died, and two who ran away, thus actually accounting for 68, or one more liberto than was supposed to be in charge of the Board.

You will furnish me with a further explanation on this subject, but in the meanwhile, if there are really any libertos unaccounted for, it will be your duty to insist on being informed how they have been disposed of, and failing to receive a satisfactory report you will inform me in order that I may bring the matter to the notice of the Portuguese Government.

I am, &c.

(Signed) RUSSELL.

No. 145.

Her Majesty's Commissioner to Earl Russell.—(Received February 20, 1864.)

(No. 5.)

My Lord, *Loanda, December* 31, 1863.

I HAVE the honour to transmit a translation of the Report of the Curator of Liberated Africans, for the quarter ending to-day.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 145.

Report of the Curator of Liberated Africans.

(Translation.)

I HAVE the honour to inform the Board of Superintendence of Liberated Africans that during the quarter ended this day I visited several times the libertos under the charge of the said Board. and found—

1. That they all received proper treatment.

2. That the libertos granted to private persons were for the most part employed in domestic pursuits, and some in labour in the suburbs of the city; those granted to the Corporation in the service of the Municipality.

3. That on the 15th instant the liberta Catherina, on the 22nd the liberta Justiana, who were in the service of Dona Anna V. Escorcio e Silva, and on the 30th the liberto Maiala, who was in the service of Dona Josepha Pires, were returned to the Provincial Government Barracks.

St. Paul de Loanda, December 31, 1863.

(Signed) M. A. DE CASTRO FRANCINA, *Curator.*

No. 146.

Her Majesty's Commissioner to Earl Russell.—(*Received June* 3.)

(No. 1.)

My Lord, *Loanda, April* 1, 1864.

I HAVE the honour to transmit the Report of the Curator of Liberated Africans for the last quarter.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 146.

Report of the Curator of Liberated Africans.

(Translation,)

I HAVE the honour to bring to the knowledge of the Most Excellent Board of Superintendence of Liberated Africans, that during the quarter that ends to-day, visiting from time to time the libertos under the charge of the said Board, I found—

1. That they all received proper treatment.

2. That those granted to private persons were for the most part employed in domestic service, and some as labourers in the suburbs of the city; and that those granted to the Municipal Chamber were employed in the service of the Municipality.

3. That the following libertos are in the barracks ("deposito") of the Provincial Government:—Manuel Vemba, received on the 16th January; he was in the service of the Municipality, and had absconded: Antonia on the 27th February, and Mariana on the 6th of this month; they were in the service of Innocencio Mattozo da Camara, who declined their further services.

4. That the liberta Manfrita absconded from the barracks on the 3rd of this month.

Loanda, March 31, 1864.

(Signed) M. A. DE CASTRO FRANCINA, *Curator.*

No. 147.

Her Majesty's Commissioner to Earl Russell.—(*Received June* 3.)

(No. 2.)

My Lord, *Loanda, April* 8, 1864.

WITH reference to your Lordship's despatch No. 2 of the 23rd January, desiring me to furnish further explanations on the subject of the lists of libertos transmitted in my despatch of the 20th November last, I have the honour to draw your Lordship's attention to the circumstance that the despatch in question is dated the 20th November, but the postscript bears the date of the 24th November. The detailed statement that I had requested was brought to me on the previous day, when I was much occupied, and I had barely time to add the postscript, and forward the statement referred to.

I take the liberty further to observe, that at the end of List No. 2 it is mentioned that there was one liberto more in charge of the Board on the 31st December, 1861, than the number mentioned in Mr. Gabriel's Report.

Trusting that this explanation will be satisfactory, I have, &c.

(Signed) W. VREDENBURG.

No. 148.

Her Majesty's Commissioner to Earl Russell.—(*Received September* 2.)

(No. 2.)

My Lord, *Loanda, June* 30, 1864.

I HAVE the honour to transmit the report of the Curator of Liberated Africans, for the quarter ending to-day.

Senhor Françina de Castro, the Curator, having applied for and obtained six months' leave of absence, I expressed a desire to have a personal inspection of the libertos before his departure. I was able unfortunately to see but few of them, a great number being in hospital with small-pox, that disease having raged with great violence in this city and province during the last two months. It appears by the Curator's report that two only of the libertos have died, but it is to be feared that many of those now in hospital will fall victims to that frightful disease.

Senhor Joaquim Felippe de Andrade e Oliveira has been appointed Acting Curator during the absence of Senhor de Castro.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 148.

Report of the Curator of Liberated Africans.

(Translation.)

I HAVE the honour to inform the most excellent Board of Superintendence, that during the quarter ended this day, I visited from time to time the libertos under charge of the Board, and found—

1stly. That they all had proper treatment.

2ndly. That the libertos allotted to private persons were employed in domestic service, and in agriculture in the suburbs of the city, and that those granted to the Municipal Chamber were in the service of the Municipality.

3rdly. That in consequence of the great epidemic of small-pox, which is now raging in the city, and various parts of the Province, there entered the hospital in the month of May, thirteen of the libertos from the Government barracks, and six more during the present month, the liberto Gregorio Manacata having died of that disease on the 22nd.

4thly. That there are also attacked with small-pox, and under treatment at the hospital, six of the libertos in the service of D. Thereza d'Aguiar e Castro, three in the service of Luiz Gomes de Carvalho Vieira, two in the service of Francisco Martins Gomes Teixeira, and two from the Arsenal (Trem).

5thly. That there were received at the Government barracks, Gervasio, who had been granted to Amancio José da Silveira; Bengur, who was in the service of Francisco Martins Gomes Teixeira; Alvera Bemba, who was granted to Camillo Ferreira; José Panzo and Januario Baquina, who were in the service of Colonel Rudzky.

6thly. That there died on the 24th of small pox, Massanga, being one of those granted to Luiz Gomes de Cavalho Vieira.

Loanda, June 30, 1864. (Signed) M. A. DE CASTRO FRANCINA.

No. 149.

Her Majesty's Commissioner to Earl Russell.—(*Received November* 25.)

(No. 3.)

My Lord, *Loanda, October* 3, 1864.

I HAVE the honour to transmit the report for the last quarter of the acting Curator of Liberated Africans.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 149.

Report of the Acting Curator of Liberated Africans.

(Translation.)

I HAVE the honour to inform the Board of Superintendence of Liberated Blacks, that during the third quarter of the current year, visiting from time to time the libertos under charge of the Board, I found—

1. That they received proper treatment.

2. That the libertos awarded to private persons were employed in domestic service, and some in agriculture in the suburbs of the city. Those awarded to the Municipal Chamber were employed in the service of the Municipality.

3. That on the 3rd of July, Carolina, who was in the service of Manoel da Cunha Guimaraes, died.

4. That on the 21st of the same month, the liberto José Panzo died in the hospital of small-pox.

5. That of the libertos who, according to last quarter's report, were ill with small-pox in the hospital, one only still remains there, and he is nearly re-established.

Loanda, October 1, 1864. (Signed) FELIPPE D'ANDRADE E OLIVEIRA.

NEW YORK.

No. 150.

Her Majesty's Commissioner to Earl Russell.—(*Received January* 25, 1864.)

(No. 21.)

My Lord, *New York, December* 31, 1863.

I HAVE the honour to report to your Lordship that no case has been brought for adjudication before the Mixed Commission Court established at New York under the Treaty between Great Britain and the United States of America for the suppression of the Slave Trade, during the year ending this day.

I have, &c.

(Signed) E. M. ARCHIBALD.

No. 151.

Her Majesty's Commissioner to Earl Russell.—(*Received January* 25, 1864.)

(No. 22.)

My Lord, *New York, December* 31, 1863.

I HAVE the honour to report to your Lordship that no slaves have been emancipated, and consequently that none have been registered by the Court of Mixed Commission established at this place, during the year ending this day.

I have, &c.

(Signed) E. M. ARCHIBALD.

REPORTS FROM NAVAL OFFICERS

WEST COAST OF AFRICA STATION.

No. 152.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Whydah, November* 22, 1863.

I HAVE the honour to report, for your information, that a steamer escaped from the Bights with slaves on board on 10th October last. I cannot conceal from you my grief and disappointment at this circumstance, because I had taken more than usual precaution in impressing upon the minds of the Commanders of cruizers on this part of the station the urgent necessity of increased watchfulness.

I am told by the mate of a merchant-ship now at this anchorage, the "Glenelg," that the "Antelope" could not have been very far off when these slaves were shipped.

Inclosed are extracts from Commander Wildman's letter to me on the subject.

I must own that if the boats of the cruizers had been sent to watch and cruize in suspected places, according to my general orders, it is not improbable that this escape might have been prevented.

I have discovered that the small-pox was raging amongst the slaves at the time of embarkation, that many were rejected on this account, and that it is supposed that the greater part of those shipped will never reach their destination.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 152.

Commander Wildman to Commodore Wilmot.

Sir, "*Philomel*," *Whydah, October* 24, 1863.

IT is with great regret that I have to report, from information received, that the slave-steamer has shipped and got away.

The English brig "Astarte," boarded by this ship on the 2nd instant, reports that about a fortnight previous to the 10th October, when she was laying off Jackin, a screw-steamer, barque rigged, with a round stern, steamed close into Jackin, showed Portuguese colours, and steamed directly southward.

The master of the "Astarte," when at Great Popo, learnt from reliable sources that the steamer had appointed to be off Jackin at 2 P.M. on the 10th October, 1863, and from what he heard, he believed that the steamer had arrived at that time and day, shipped 600 slaves by 4 P.M., and steamed.

I am also informed from another source that the steamer passed His Imperial Majesty's steamer "L'Etoile" under English colours, but in consequence of her having those colours the French Commander did not interfere with her.

I cannot refrain from calling your attention to the sad result of the French and English Treaty respecting search having been abrogated, as doubtless had it not been for the great delicacy of the French commander, he would have been able to capture this detestable slave-steamer. Had she been met by one of our cruizers, no doubt French colours would have been used instead of English; thus, through there being no Treaty, the two flags are prostituted with impunity as occasion requires.

I am informed that the speed of this slave-steamer is very great; therefore, with the exception of Her Majesty's ships "Rattlesnake" and "Investigator" (in smooth water), I do not think any of the cruizers could capture her.

I have, &c.

(Signed) LEVESON WILDMAN.

No. 153.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake,*" , 1863.

I BEG to forward a copy of the translation of King Massaba's letter to Her Majesty, which has been made by M. Jules Gerard.

The original letter, in Arabic, was forwarded by Lieutenant Gambier of the "Investigator."

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 153.

King Massaba to Her Majesty the Queen.

(Translation.)

IN the name of God, the merciful, the almighty, He who has never had and never will have his like.

From the Emir Mahomed Lal, son of Mahlem. May the blessing of the Lord be upon your Queen, and upon her descendants, and upon yourself; such is the wish that comes from an unforgetful and sincere heart, and such are the wishes for her happiness.

Then we inform you that we have received everything that you have sent us, and that we have been very well satisfied with your presents; and I send you, with my warmest thanks, the expression of my strong regard, and all the blessings of Heaven, and also a horse for your Queen.

We will be greatly obliged if you will send us powder of good quality, also coral, silver, and other articles suitable for the use of Sovereigns.

We ask you besides to send us a Royal tent, because this tent, when erected here, will prove that we have accepted the man that you have established between you and us, who is at the town of Lukoja. So be it.

We hope that after that there will be no more trouble in our friendly relationship between him and us. And if untrue words reach you, do not lend your ear to them nor your attention, for we do not take notice in such cases ourselves. And He who makes the straight road directs us there. If it pleases God may his blessing be upon you.

No. 154.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake,*" *December* 9, 1863.

THE following few remarks connected with the successful return of the "Investigator" from the Niger in the month of November last will perhaps afford some interest and information to their Lordships.

It seems that Lieutenant Gambier ascended in the steamer as far as Egga, about 360 miles from the entrance of the river; from thence he advanced a further distance of five miles in his boats, and entered a small river up which he went fifty miles to a village called Wanagi, seven miles from Bida, the capital of King Massaba.

Dr. Baikie accompanied him. At Wanagi they were met by King Massaba's messengers, who informed them that horses would be sent down for their conveyance to his town.

The name of this river is not yet given in any chart; neither has it been surveyed. It will be well to call it by some name connected with this year's expedition. It is about 300 yards across in the broadest part. and from 30 to 40 in its narrowest part; depth unknown, but Lieutenant Gambier thinks its average quite two fathoms.

The banks are thick with mangrove and a few trees, but the country is well cultivated, yielding Indian corn and yams. There is also the butter tree, which is about ten feet high, and produces what is called "shea butter," which is used by the natives for food and for greasing their bodies. The leaf of this tree is larger than a laurel leaf, but of the same shape.

There is plenty of cotton, red and white; large quantities might be grown. At every village cotton was brought down for sale.

The country seems well populated with much of the same description of people as in other parts of Africa. All were very friendly and anxious for trade.

The soil appears to be most fertile; cotton, Indian and Guinea corn, cassada, the date, palm, yams, &c., growing in great abundance. The yams are superior to those in most places on the coast, and the climate from all accounts is very healthy; a fresh breeze blowing up from the sea.

Dr. Baikie came on board at Lukoja, his own place about 220 miles up, and was greatly rejoiced to see the "Investigator," as his supplies were exhausted, and he had given up all hopes of being relieved this year.

The missionaries were all landed at those places where they had missions, embarking again when the "Investigator" returned. All the goods, &c., belonging to those gentlemen were likewise conveyed by Lieutenant Gambier up the river.

There are partridges and guinea fowl, also elephants and buffaloes, in the neighbourhood.

From the entrance of the Niger to Egga, a distance of 360 miles, the average depth in the rainy season is between four and five fathoms, excepting in one part of the ship-channel, which was only ten feet; this of course makes it impossible for vessels drawing more water to proceed further than this shallow part, which is about 200 miles up.

There is another passage the other side of the Island, near which this ten feet is, which has not yet been surveyed, and Lieutenant Gambier thinks it highly probable that a deeper channel may be found there.

My opinion, formed upon the information I have been able to obtain, is that it would well repay one Company to take the trade of the Niger into its own hands, encouraged and assisted by a yearly subsidy from the Government, until the trade is regularly and permanently established, and certain profits arise. After this it will be of course for Her Majesty's Government to rescind the charter, and do away with the monopoly as they think proper.

It appears that this single ten foot channel mentioned above is the only obstacle, excepting the river bar, to vessels of large draught of water navigating the river after passing the bar, and taking in their cargoes 300 miles up.

This is a very serious obstacle, but it can be overcome by steamers of light draught towing up large cargo boats or hulks of a considerable size.

The bar is another drawback to vessels drawing much water; there is only twelve feet on it in the rainy season.

A company must therefore be prepared to enter upon their work with two powerful paddle-wheel steamers, drawing when loaded nine feet of water, which is only one foot less than the depth of the channel in its shallowest part, with a good supply of cargo-boats or other conveyances as they may deem expedient for river work.

The ship to receive the cargo must be at anchor outside the bar.

These steamers should be armed with one heavy and one light gun, also a proportion of small arms, rockets, &c., in case of necessity. They should be very fast, well ventilated, and carry at least 100 tons of coal.

A depôt of coal must be in the river at the best selected place, and wood can be obtained very cheap.

I should say that steamers with two rudders would be the best, which will prevent the necessity of turning.

At first some little difficulty will doubtless arise, which must be expected; but the enterprise of British merchants, backed by the energy and skill of British seamen, will conquer every obstacle, and establish a trade in the Niger that will fully satisfy in a few years every one that is really interested in the happiness and prosperity of Africa.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 155.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake, Accra, November* 18, 1863.

WITH reference to their Lordships' communication to you of the 15th September last, I beg to inform you that I have done everything in my power to cause proper attention to be paid to the instructions relative to French vessels being boarded by British cruizers, and to refer you to the inclosed copies of my General Memoranda Nos. 31 and 62, which I have issued to the squadron under my orders on this particular subject.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 155.

General Memorandum No. 62.

"*Rattlesnake*," *Lagos, August* 29, 1863.

WHEN officers are required for "boarding duty," the undress uniform of cap, frock-coat, and side-arms is on all occasions to be strictly adhered to.

In case of a vessel under French colours being boarded, the commanding officer will note in the ship's log that the boarding officer was in his proper uniform.

(Signed) A. P. EARDLEY WILMOT, *Commodore.*

The respective Captains, Commanders, and Commanding Officers,
Her Majesty's ships under my Command.

No. 156.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Whydah, December* 15, 1863.

ON my departure from Jella Coffee on the 23rd ultimo for Whydah, I left the launch, pinnace, and whaleboat belonging to this ship behind, under the command of Lieutenant Foote, to cruize between the River Volta and Port Seguro, a distance of only seven miles from Little Popoe.

2. I gave instructions to Lieutenant Foote to ascend the Volta by the bar, if possible, in the whaler, and to communicate with the Head Chief in a friendly manner. He was to find out, as far as lay in his power, the capabilities of this river for trade; to discover, in a quiet way, if there was any Slave Trade going on from thence; and to obtain information as to whether arms and powder had been sent up to the King of Ashantee from any of the traders inside.

3. Inclosed is a short report of Lieutenant Foote's proceedings, by which you will see that the state of affairs in the Volta is not satisfactory.

4. I have no instructions relative to any proceedings up the river, but I think it would be advisable to send up a friendly expedition, well prepared for attack or defence, if necessary, with a few presents for the Kings and Chiefs, to show the people what the English power is; to open their eyes to the necessity of giving up the resources of the river to legitimate trade, and that it is not to be closed merely for their own selfish purposes; as also to exact a promise for their future good behaviour.

5. I have every reason to be satisfied with the ability and prudence exhibited by Lieutenant Foote on this occasion, who is an officer likely to do great credit to Her Majesty's service.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 156.

Lieutenant Foote to Commodore Wilmot.

Sir, "*Rattlesnake*," *Jella Coffee, December* 5, 1863.

IN obedience to your directions of the 23rd November ultimo, I took charge of the boats of Her Majesty's ship "Rattlesnake," and have the honour to make the following report of my proceedings up to this date:—

2. After parting company with your broad pendant I proceeded to the River Volta, off the mouth of which I arrived on the morning of the 27th November. I approached the bar as close as the heavy state of the rollers would admit, and found it impassable in the whaler. I then proceeded to Fish Town, a village on the west bank of the river, and hailed for a canoe, which they answered, but did not send one.

3. I pulled two miles west along the coast, and reached Addafoa, a small trading place, the seaport of Adda, on the banks of the Volta. They endeavoured to send a canoe off for me, which was twice capsized. I anchored for the night, and the next morning pulled for the shore in the whaler, taking the gunner's mate, with lead and line, and four days' provisions. A canoe was sent off, in which I managed to reach the shore, but not without being capsized close to the beach. I was received by Mr. John Bosman, native merchant and Agent to the Bremen Mission, and the Headman of the place, by name Ablo. The latter demanded what I wanted. I informed him that my wish was to ascertain the state of the bar and the depth of the water up the river, as also the condition of the trade that was going on; at the same time requesting canoe-men to take me up. He replied, that with the King's permission he would obtain canoe-men, but I must first go to Adda to see the King.

4. Mr. Dahsa, of the Bremen Mission, and Mr. Robert Bannerman, native merchant, showed me every kindness on landing, and offered to accompany me to Adda, which I gladly accepted, reaching it at 4·30 P.M. in Mr. Dahsa's boat.

5. The King, Akooakoos, having been previously informed of my arrival, immediately sent for me, inquiring what I wanted in the river. I replied that I came with the most friendly intentions, and with a view of opening

trade by crossing the bar; also to find the depth of water in the river, and wished to go to Jopie or Malamfi. A consultation was held with the Chiefs, who said that the people would object. I inquired their reason. They said the river had been measured before, and that if the bar was crossed for trading purposes the profits derived from the present system of transhipping goods or palm oil by land to the beach of Addafoa would be lost to the country. I then requested permission to sound from Adda to the bar, which was granted, the King observing he would not guarantee my safety above Adda, nor could I procure canoe-men to proceed further.

6. I remained at Adda for the night, at the house of Mr. Bosman.

7. The next day (28th) I started down the river, and found the soundings vary from 4 to 18 and 30 feet in different parts, and at the mouth I crossed over to the east bank and landed at a small village called Issassana, but the natives live entirely on fish, with no signs of trade.

8. The bar this day was utterly impassable, breaking heavily across the whole length. I sounded the mouth of the river, and found from 30 to 36 feet.

9. I returned to Addafoa, where I found Mr. Bosman in a state of alarm, the King having sent a message that he must go to Adda, which if he did not obey the factory would be burnt to the ground, it having been reported that he had received a letter from me by a fishing-canoe some days previous stating that he was to assist me in bringing up my boats to burn the town, and that he had no right to send a canoe off for me on my arrival. I therefore considered it necessary, for the protection of the Mission and the interest of the native merchants, some of whom are of Accra and therefore claim our protection, that I should at once return to Adda and convince the King of the absurdity of the accusation of Mr. Bosman.

10. On my arrival at Adda the King said he would not see us until the morning. During that night a grand fetish was held, the people being in a great state of excitement from a quantity of rum supplied by Giraldo, a Portuguese slave-dealer, who, I believe, is much against British interest, and was the instigator of this threatened outrage on Mr. Bosman, there being some little difference between them. This Giraldo was clerk to that well-known slave-dealer Lima, of Quittah.

11. I went the next morning, the 29th, to a palaver, at which the King presided, attended by his Chiefs. Mr. Bannerman interpreted for me; they could prove nothing about the letter, and I asked them to produce the man who was stated to have been the bearer; this they were unable to do. Mr. Bosman was then accused of preventing merchant masters trading to Addafoa from sending presents to the King, for which he was to be fined 1,000 heads of cowries; after a long debate this was reduced to 100, which Mr. Bosman agreed to pay rather than be driven from the country, as the natives of Adda are indebted to him to a considerable amount, more especially the head Fetish man. Thus ended the palaver.

12. Whether a simple message I sent by a fishing canoe to Mr. Bosman when I passed Addafoa on my way from Accra to Jella Coffee with the mails excited the ire of the King I cannot say; I gave the man in the canoe a little biscuit for taking the message.

13. I took an opportunity of visiting Fort Konquesteen, to the south of Adda; the bare walls only stand with a small portion of the roof and floor, and I should consider the place hardly worth repair; there is a good clearance to the rear of the fort.

14. The number of inhabitants at Adda I think much exaggerated; I should not estimate its population at more than 4,000 or 5,000.

15. The trade in salt is very extensive, which is obtained from plains a short distance in the interior, and packed in baskets for shipment up the river, where it is bartered at different places for palm oil, which they float down the river and roll across a distance of one mile and a-half to Addafoa.

16. As regards the Slave Trade I am of opinion that no slaves are shipped near the Volta, but are purchased from the country on its banks, and taken by lagoon to Aghwey and the stations along the coast. Giraldo is at the head of the traffic in this locality under the cloak of a palm-oil dealer.

17. I was unable to ascertain if arms, &c., had been sent by the river to Ashantee; but the people, as far as Adda, do not appear on friendly terms with the Ashantees.

18. The authority of England does not appear to be countenanced, perhaps from want of intercourse, as Englishmen have never established as merchants or traders in this part. The last visit of a British officer was made by Governor Andrews (Gold Coast) and the late Lieutenant Dolben, in 1861, when the natives, I am told, were not well disposed towards these officers, and almost showed signs of hostility.

19. The authority of the King of Adda does not extend on the east bank of the river.

20. I joined the boats on the 30th November, and I have since been cruizing between Cape St. Pauls and Porto Seguro.

21. Cotton grows wild on the banks of the river; and were the people induced to cultivate it a large quantity might be annually exported. The Bremen Mission hope to send some home next year. I think it would be possible for cargo-boats similar to those used at Lagos to cross the bar, and vessels might anchor outside in seven or eight fathoms within a moderate distance.

22. Giraldo, I think, is, if not the sole, the principal slave-dealer at Adda, having more influence than his late master Lima, whose slave he originally was; being intelligent and useful, he eventually became clerk, and for the last few years of Lima's life carried on the whole of the business. He is a tall, well-built, but slight man; does not speak English, although, I think, he understands a good deal.

I have, &c.
(Signed) C. F. FOOTE.

No. 157.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Cape Coast Castle, December* 21, 1863.

IN compliance with their Lordships' letter to you of the 23rd November last, relative to the shipment of slaves from the Dutch Settlement of Elmina, in which I am called to report "some grounds upon which so serious a statement could be made against a foreign Government," I have the honour to make the following reply.

2. It is notorious here that the Dutch Local Government of Elmina does not

hesitate to draw its military recruits from Ashantee, in a manner repugnant to the spirit of the Treaty existing for the Suppression of the Slave Trade.

3. At certain times an Agent of the Dutch local Government goes from Elmina to Coomassie, with instructions to purchase recruits at so much per head, the price being about 9*l.* sterling.

4. This is well known to be the case throughout the whole of the Gold Coast country, and merchants and others, both at Elmina and Cape Coast, are prepared to vouch for the truth of this statement.

5. Recruits are always kept ready at Coomassie, and when bought by the Dutch at Elmina, they are not kept there for the service of the Settlement, but shipped to their Colonies for military and other purposes.

6. Mr. Ross, Colonial Secretary at Cape Coast, and some time Administrator of the Government there, has, I believe, written strongly to the Home Government on this subject; and the present Governor, Mr. Pine, is of the same opinion as Mr. Ross, and has been told by a merchant that resides at Elmina that such are the facts of the case.

7. Mr. Pine fully believes the Report, and the English merchants at Cape Coast, black and white, all highly intelligent men, and who can have no possible object in stating an untruth, corroborate what the residents at Elmina themselves say.

8. I hope in a short time to collect further evidence on this important subject, so important as bearing on the encouragement of the Slave Trade on this coast, and inducing the King of Ashantee to make warlike incursions for this purpose.

9. I believe that the recruits supplied by the King of Ashantee, and bought by the Dutch Government here, are shipped off in transports to the Island of Java; and the interest of the Dutch Government in their Colonies out here would be scarcely acknowledged if it were not for the means they possess of enabling them to keep up the number, and recruit their armies in Java and elsewhere.

10. The system seems to be even worse than the late French Emigration scheme, now so happily abandoned.

11. I am quite aware of the importance of the communication I have made, and of the responsibility attached thereto, but I feel that I should have failed in doing my duty if I had neglected to report all the circumstance of the case to you.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

P.S.—Mr. Hackett, the Chief Justice, has permitted to use his name for the following information, which he says is positively true:—

1. Whenever the domestic slaves or servants of the native gentry residing in the Colony misbehave themselves, their masters threaten to send them to Elmina, where they will be sold and sent abroad to the Dutch Colonies.

2. This threat has the desired effect of inducing them to conduct themselves better for the future.

No. 158.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Cape Coast Castle, December* 21, 1863.

I BEG to submit a duplicate of my correspondence addressed to the Commander-in-chief, being in reply to their Lordships' letter to him of the 27th May, 1863.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 158.

Commander Douglas to Commodore Wilmot.

Sir, "*Espoir*," *Cape Coast Castle, December* 15, 1863.

I HASTEN to offer the explanations called for by your letter of the 12th August, which was only received on the 14th instant.

The Portuguese schooner "Nini" was boarded by my direction on the 22nd November, about 165 miles to

the south of St. Thomas. She had on board a cargo of cask-staves, dried fish, farina, and a few cases stated to contain European goods.

The "Nini" produced a Custom-house character from St. Thomas for these goods, as also a pass or certificate of nationality from the Government of Angola.

No log was produced to show what the movements of the vessel might have been, and no bond or certificate of bond for the cask-staves, as directed by paragraph 6, Article IX of the Treaty of 1842.

On boarding the "Nini," and ascertaining the nature of the cargo, I did not think that the want of the bond above mentioned was a sufficient ground for detaining the vessel, all her other papers being correct, though no doubt could exist of the power to do so under the Treaty stipulations.

There being no log-book in which I could record my visit and search, as directed by Article I, I did so on the back of the register (pass), stating that I had searched the vessel, and found the cargo to consist of a slave-cargo, as described in the Treaty, Article VIII, paragraphs 6 and 9, but this cargo being duly manifested, and the bond above mentioned the only document wanting, I had allowed the vessel to proceed.

So far was it from my intention to accuse the "Nini" of being a slaver, I endeavoured to state that though the cargo would induce any one to believe that, from its nature, it was intended for slave-trading purposes still the papers furnished by the Custom-house of St. Thomas being, with one exception, correct, dispelled at once any suspicion of the nature of the trade in which the vessel might be engaged.

I have, &c.
(Signed) SHOLTO DOUGLAS.

No. 159.

[Disapproving Commodore Wilmot's letter to merchants in Congo.]

No. 160.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Sierra Leone, January* 20, 1864.

I HAVE the honour to inclose the copy of a letter which I have thought it my duty to send to the President of the Liberian Republic, in consequence of an outrage committed on board the British barque "Dahomey" while at anchor off the Kroo coast, for the purpose of obtaining kroomen in the usual manner for service on board during her stay on this coast.

2. The contents of the letter will forward you all the necessary information on the subject.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 160.

Commodore Wilmot to the President of Liberia.

Sir, "*Rattlesnake*," *Cape Coast Castle, December* 9, 1863.

1. I HAVE the honour to bring before your Excellency's notice a very serious case of robbery committed by a number of kroomen, at Grand Nifon, on the 26th July, 1863, when a large cargo boat, perfectly new, and valued at 50*l.* sterling, was forcibly taken away from the British barque "Dahomey," when at anchor there in the pursuit of lawful purposes.

2. It appears from the verbal statement of Mr. Croft, supercargo of the "Dahomey," made to me yesterday on board the "Rattlesnake" at Jella Coffee, near Quittah, that this vessel anchored at Grand Nifon for the purpose of obtaining kroomen, and was soon afterwards boarded and surrounded by a large number of canoes, full of men, who came to be entered for the voyage.

3. It is usual, I believe, for these kroomen, so hired, to receive one month's wages in advance, but the demands of these men were so exorbitant and out of the question that Mr. Croft, the supercargo, would have nothing to do with them.

4. He offered them one month's advance, but they wanted three months'.

5. They then made another most ridiculous demand for compensation to repay them for the trouble of coming off, and asked for at least 100 dollars' worth of goods, to consist of heads of tobacco, rum, cloth, &c., which the supercargo very properly refused.

6. They had come off of their own free will to enter as kroomen in the "Dahomey," about to proceed south for a cargo, and it is simply absurd to suppose that they are, in the first place, to make their own terms, which are most unjust and unreasonable, and because these terms are rejected, that they are, in the second place, to make another most extraordinary demand for compensation, which again being refused, they are to take the law into their own hands, and lastly to commit a most barbarous robbery, by taking away from the vessel a large and perfectly new boat valued at 50*l.* sterling.

7. Mr. Croft declared that he has never heard of or witnessed such a scene as was enacted on board the "Dahomey," when the kroomen were well and civilly treated, but behaved in this scandulous manner. He got under weigh immediately, as he was afraid from the number of canoes, and the noise and confusion, that they might possibly take the ship.

8. I am quite certain your Excellency will be much pained upon the receipt of this intelligence, and that you will give instructions for the immediate apprehension of those chiefly concerned in the robbery, as well as for the restitution of the boat to the supercargo of the British vessel.

9. If the boat cannot be found and given up, I must ask your Excellency to satisfy the claims of the owner by the payment of 50*l.* sterling, and by awarding a severe punishment to the offenders, make restitution for this indignity offered to a British ship carrying on lawful commerce on that part of the coast which claims the protectorate of the Liberian Government, and which protection the Liberian Government is likewise bound to afford to all vessels of a friendly nation according to the rules of international law.

10. Mr. Croft, the supercargo, was not and is not aware of their being such places in Liberia as "ports of entry," or particular specified ports for entering kroomen.

11. The very circumstances of the kroomen themselves coming off in the manner they did, plainly shows that they themselves are either unaware of their being such ports, or they do not recognize the protectorate powers of the Liberian Government.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 161.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, *"Rattlesnake," Sierra Leone, January 9*, 1864.

I HAVE the honour to inclose copies of a correspondence that has passed between myself and the Chiefs of Jella Coffee, relative to a fine imposed upon them by me for the wilful capsizing of a canoe with several seamen belonging to this ship on board, when returning from the shore where they had been for the purpose of obtaining stock for themselves and shipmates.

2. The practice of capsizing canoes with passengers in them because they will not comply with their exorbitant demands is very common on this coast, and I hope the course I have pursued will not only meet with your approbation, but will prevent for the future these diabolical acts, which might be the cause of the loss of many valuable lives.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 161.

Commodore Wilmot to John Tay.

Sir, *"Rattlesnake," Jella Coffee, December 7*, 1863.

IT is with the greatest surprise and regret that I have heard from Lieutenant Foote and the men who were in the canoe the circumstances connected with the capsizing of that canoe by the canoemen, and the imminent danger of at least three of the seamen who were in her at the time.

All were overboard, but, luckily, the greater number could swim, and were thus able to save their lives.

I have sent Commander De Wahl and Lieutenant Foote, who was in the canoe at the time, on shore to inquire into the case, and have to desire you will give up to me for punishment the whole of the canoemen (with the canoe), or pay a fine to the British Government of 100 dollars.

I am quite convinced that the canoemen were to blame, as the seamen were perfectly sober and steady in the canoe, and could have no possible motive for capsizing the canoe, and thus endanger their lives and property.

You are the Chief of this place, and the trade is in your hands. The principal power and authority rests with you, and you are supposed to be able to govern and control your people.

You are, moreover, supposed to be the friend of England and the English, and by this friendship are doubly bound to assist and protect Englishmen on shore.

Your name and trade has been raised by the British cruizers; in fact you owe all you possess to the kindly feeling and trade of English ships of war on this coast.

Shame, then, to Mr. Tay, that he should permit his people to risk the lives of British seamen.

I implore you, as your friend, and as the friend of the African race, to accede to the terms I have proposed to you; if not you must be prepared for consequences that will probably ruin you and your trade for ever.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 161.

Commodore Wilmot to the Head Chief at Jella Coffee.

"*Rattlesnake*," *Jella Coffee, December* 7, 1863.

THE officers sent to investigate the circumstances that took place yesterday relative to the capsizing of a canoe containing seamen belonging to the English Commodore's ship have returned, and I am glad to find that the Chiefs and head people of Jella Coffee perfectly understand and acknowledge how improper the conduct of their canoemen has been on that occasion.

The Commodore hears, however, that the canoemen who are the principal cause of this very grave offence have run away to escape punishment.

Under these circumstances the Commodore again demands 100 dollars from the Chiefs of Jella Coffee as a fine to the British Government for this gross insult to the British flag.

This money must be paid in hard cash, and not in cattle.

The Commodore gives the Chiefs of Jella Coffee till to-morrow morning at 8 o'clock to pay this fine, and he expects to receive it from an authorized person, who is to bring it off in a proper canoe.

Until this money is paid no communication will be allowed with the shore, no canoes can leave the beach, and no trade can take place between the Chiefs and people and with ships at anchor off this town.

(Signed) A. P. EARDLEY WILMOT.

The messenger came off at the appointed hour with the money, and with many expressions of regret on the part of the Chiefs that this disgraceful affair had taken place, with a promise, also, that it should never occur again.

I sent back the messenger to say that if such an occurrence did take place again, a far heavier fine would be imposed, and very serious notice taken of it.

This ended the business, and friendly relations were again immediately established.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 3 in No 161.

The Chiefs of Jella Coffee to Commodore Wilmot.

Sir, *Jella Coffee, December* 8, 1863.

WE have the honour to write you these few lines that the fine of the sum of 22*l.* 10*s.*, or 100 dollars cash, is hereby sent per bearer, and hope you will accept the same safely, and also hereby beg you that from this time there will be no more dispute amongst us, and that the trade should be opened. If any communication, please and explain to the bearer.

We are, &c.

(Signed) CHIEFS OF JELLA COFFEE.

Inclosure 4 in No. 161.

John Tay to Mr. Lyon.

Sir, *Jella Coffee, December* 16, 1863.

I BEG to write you these few lines to say that please to inform the Commodore that after shipping the rest of the crews and master, I am quite satisfied of their going off, I found that they capsized after gone through the surf, been the crews dont sit quietly in the canoe, but I am glad that I came back and see all of them quite safe in the surf-boat and canoes I sent after them. I beg the Commodore will not be objection of the wet of the men, as it is a palaver of accident.

Your obediently,

(Signed) JOHN TAY.

No. 162.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Sierra Leone, January* 11, 1864.

I HAVE the honour to reply to their Lordships' letter of the 15th June last, relative to the character of the Slave Trade which is carried on in the neighbourhood of Sierra Leone, and also to state in what manner it is proposed to employ the boats of the "Isis."

2. When I first wrote upon the subject of employing the pinnace of the "Isis" to assist in the suppression of the Slave Trade in this neighbourhood I was not aware that the Governor of the Colony had the power to grant a "deputation" to the master in charge, which authorizes him to stop and seareh all suspicious boats and vessels, and to act generally in the suppression of the Slave Trade.

3. Inclosed is a copy of the Governor's letter to Mr. Leetham, granting the "deputation" referred to, as also the latter officer's Report on the Slave Trade as carried on in the neighbourhood.

4. I do not consider it nessary for Mr. Leetham to have any further papers or instructions on this subject, as the "deputation" answers every purpose, and you will see by his Report that his frequent visits to the different rivers have had a good effect, and that it does not in any way affect the health of himself or the white quartermaster he takes with him.

5. I inclose also Commander Cochrane's Report on the same subject, which, with Mr. Leetham's, will afford you all the necessary information.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 162.

Mr. Nicol to Mr. Leetham.

Sir, *Secretary's Office, Sierra Leone, March* 10, 1863.

I HAVE the honour, by command of his Excellency the Lieutenant-Governor, to forward to you a deputation, under the Privy Seal of the Colony, to seize slaves, &c.

I have, &c.

(Signed) GEO. H. NICOL, *Colonial Secretary.*

Inclosure 2 in No. 162

Deputation empowering Mr. Leetham to seize Slaves, &c.

HIS Excellency Major Samuel Wensley Blackall, Lieutenant-Governor in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, &c. To all to whom these presents shall come, greeting.

By virtue of the power and authority vested in me by an Act passed in the fifth year of the reign of His late Majesty King George the Fourth, entitled "An Act to amend and consolidate the Laws relating to the Slave Trade, and in order more effectually to enforce the provisions thereof within the said Colony," Know ye therefore, that having full trust and confidence in the loyalty, ability, and courage of Thomas Leetham, Esquire, Master commanding Her Majesty's ship "Isis," I hereby nominate, constitute, and appoint him, the said Thomas Leetham, for all the purposes of the said Act, my Deputy within the said Colony, and so long as he shall remain therein to seize, detain, arrest, and take all ships and vessels, boats and canoes, or persons, natives of Africa, by him found, treated, dealt with, carried, kept, detained, or confined as slaves on board the same, and all goods and effects whatsoever to the same appertaining or belonging, which shall or may become forfeited for any offence committed against the said recited Act, which shall or may be found within the jurisdiction of the said Colony, and the same having so seized and detained, to prosecute to forfeiture and condemnation.

Given under my hand and the Privy Seal, at Freetown, in the said Colony, this tenth day of March, in the year of our Lord one thousand eight hundred and sixty-three, and of Her Majesty's reign the twenty-sixth.

By his Excellency's command.

(Signed) GEO. H. NICOL, *Colonial Secretary.*

Inclosure 3 in No. 162.

Mr. Leetham to Commodore Wilmot.

Sir, "*Isis*," *December* 30, 1863.

I BEG most respectfully to acknowledge the receipt of your Memorandum requesting me to report fully on the Slave Trade in the neighbourhood of Sierra Leone, and would commence the subject by saying that it is one on which, in my opinion, the future welfare of the Colony in a great measure depends; but in giving that opinion fearlessly, I shall not only be attacking the interests of numbers here, but also my own, for I, in conjunction with them, hold a deputation from his Excellency the Governor for the purpose of capturing slavers.

The neighbourhood of the Gallinas and Sherbro has been the most noted haunt of slavers for some years past in the North Division, and the inhabitants of that part of the coast (the Kossoos) still retain a preference to that system of Traffic, compared with those to the northward of Sierra Leone, that is, the Soosoos, residing on the Rivers Scarcies, Melacourie, and Fouracarrie, who all seem, compared with the above tribe, to prefer agricultural and legitimate trading; but as these pursuits cannot be carried on except with abundance of labour, they are always ready to purchase slaves from the Kossoos. Several captures at different times having been made of these canoe-loads of slaves by parties holding deputations from the Governor of this Colony, has caused increased vigilance on the part of the Kossoos to get the slaves north, and latterly they have fallen back on partial overland routes, the part where they enter this Colony being at a point between Kent and Waterloo, in Yawry Bay; then they cross the Quia country, embark on Sierra Leone river, landing at Tagrein Point; they cross the Bullam country, again embarking in canoes near Leopards' Island, and from thence by sea to the above-mentioned rivers, the country about which is almost entirely inhabited by the Soosoos.

The Traffic between these different tribes comes under the denomination of Slavery where it is the interest of parties to call it so; but to unprejudiced Europeans, and, I believe, even by our own Government, is entitled

Domestic Slavery, and that is a very proper term, for it is simply to them the procuring of labour on the only terms upon which it can be procured in the country. Once put a stop to this Traffic, and you aim a blow at the only method of stopping foreign slavery; for let the Chiefs be satisfied that wealth can be obtained by legitimate pursuits here, they will be only too glad to avail themselves of the surplus population to transhipping them to foreign countries. But how will it be if you stop this only method they have of obtaining labour? Let me give an instance. A canoe was seized by Mr. Elliott, the Manager of Kent, last month, under the following circumstances:—One of the servants or slaves who had been, as he considered, unjustly treated, gave himself up to the police at that place as a slave; the canoe was seized, and sent to Sierra Leone for adjudication. A few evenings after, I happened to be visiting at the house of a merchant here, when several natives of respectability called on him to have some conversation on the subject, and they remarked that if every stranger (as the traders from the distant parts of the interior are termed) was liable to have his servants seized under our Slave Acts, no strangers would come. Need I say that if no strangers come the gold and ivory trade is at once paralyzed, for the caravans by which these articles of commerce find their way to the coast are composed entirely of slaves and their masters? As it is, all these caravans find their way to factories on the borders of British territory, but none ever come to Sierra Leone, to its infinite cost. Again, the Kossoos risk capture by running along the seaboard of this Colony, by concealing a smaller number of slaves under bags of rice and nuts, &c.; but the unheard-of agonies suffered by some of these poor wretches for want of air and food whilst cramped up in such holes, has often caused me to fancy that our efforts at the suppression of slavery is a greater curse to them than slavery itself, certainly than domestic slavery. I have had numerous conversations with the natives of these regions, as also with the European merchants, and all agree that the suppression of domestic slavery is not only an impossibility at present, but that the attempt at it is undermining the best interests of the Colony. That it may be accomplished in time I do not doubt, but it must be done by civilizing the people, and the great pioneer of civilization is trade and commerce, which cannot be carried on without labour. Take away the embargo laid on that institution here, and the streets of Sierra Leone would be crowded with natives of regions now terrified to come near us for fear of losing what they look upon simply as servants.

In conclusion, I would observe that the petty wars engaged in by the different tribes in this neighbourhood arise frequently from raids made into each other's territories for getting labour that they cannot get by other means; and that his Excellency the Governor has expressed to me personally his satisfaction at my frequent visits to the different rivers in the neighbourhood in an armed boat, acting as a check on these practices; and my own observations lead me to believe that it has a most beneficial effect; and so far from its affecting either my health or that of the single white Quartermaster I take with me (the rest of the crew being krcomen), we always look forward to a cruize up the rivers with pleasure, for my own experience leads me to believe that there is no antidote so sure against remittent fever as change of scene.

I have, &c.
(Signed) THOS. LEETHAM,
Master Commanding Her Majesty's ship "Isis."

Inclosure 4 in No. 162.

Commander Cochrane to Commodore Wilmot.

Sir, "*Sparrow*," *Sierra Leone, January* 9, 1864.

I HAVE the honour to report to you that I have every reason to believe that there is no such thing on the Northern Division of the West Coast of Africa as any foreign Slave Trade.

2. That I have been constantly up and down the coast, especially from the River Jeba to Cape Mount, passing the mouths of the Rivers Campoonee, Rio Nunez, Rio Ponga, Mellacourie, and the Sherbro; Gallinas, and Soliman.

3. I have been up to the Gambia and Goree, and down to Monrovia, and with some trouble I have endeavoured to find out if any slavery is going on; but every one says there is no foreign slavery on the North Division.

4. I have heard a report that slaves have been taken from near about the River Jeba in small ships of about ten tons, to the Islands of the Cape de Verds, when they are sent by larger ships to Havana, but I cannot obtain any certain information; and I think that now, by our occupation of Bulama, no ships can go from the River Jeba without being very soon known at Bulama; numbers of the inhabitants of the Bulama being slaves who have escaped from Bissao.

5. I am told that the price of slaves is about 35 dollars, and I believe at Havana they are much less. The reason is the great increase of trade, and all labour being required for the cultivation principally of ground nuts, palm nuts, and palm oil.

6. Domestic slavery is much carried on in the interior, but the legal trade and the increasing communication with the interior has made the slaves much more valuable, so many being required for home slavery that the increased price would not pay any one exporting slaves from this part of the coast. I also think that as more land becomes cultivated there will be still greater demand for slaves, that the price will rise, and domestic slavery become greater; that the legal trade is increasing, and that more land is brought under cultivation every year.

7. There is a large (and increasing yearly) legal trade up almost all the rivers from the Gambia to the Soliman River, and though the Chiefs often keep a number of slaves in chains, it is often as a bait to get them sold to any one foolish enough to pay for them; when paid for, information is immediately sent to the Governor of Sierra Leone that a ship is expected to come for a cargo of slaves on such a day; the slaves are kept by the Chief to sell to the next purchaser, and the ship is taken by the cruizer.

8. Liberia I believe to be entirely free from the export of slaves, though I believe much domestic slavery goes on; slavery being required for the cultivation of cotton, sugar cane, ground nuts, &c., &c.

I have, &c.
(Signed) ERNEST G. L. COCHRANE.

No. 163.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Cape Coast Castle, December* 21, 1863.

I BEG to inclose, for the information of their Lordships, the particulars of an ascent up the River Congo by Commander Perry of the "Griffon," accompanied by Captain Burton in September of this year, as well as a chart of the river as far up as they went.

2. I regret that there are no soundings laid down in this chart, but Commander Perry had very little time to spare, and was unable to make any regular survey.

3. The information contained in this Report will be very valuable to the Hydrographer; and I have expressed to Commander Perry my best thanks for the zeal, ability, and intelligence displayed by him on this occasion.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 163.

Commander Perry to Commodore Wilmot.

Sir, "*Griffon*," *October* 27, 1863.

I HAVE the honour to inform you that I arrived off the River Congo on August , having on board Captain Burton, Her Majesty's Consul for Fernando Po.

On August 30th I received a letter from Consul Burton, stating that "being about to proceed up the Congo, with a view of determining its source, and gathering information concerning its upper waters, he requested my assistance and protection with the British flag as far as possible up the river."

I therefore, on the 30th August, proceeded with Consul Burton to the French factory at Banana, where M. Victor Parrat (Gérant-en-chef for M. Régis ainé) most kindly placed a small schooner-rigged launch at my disposal, in which Consul Burton and myself left Banana the same evening, taking with us Mr. Bigley, second master, M. Pichot (an employé of the French house), and six men belonging to Her Majesty's ship "Griffon."

September 1, 7·30 A.M.—Reached Porto da Lenha. From Banana to Porto da Lenha are the following factories standing on the banks of the river:—On the south bank the factories of Senhors Alexandro Ferseira, Guillermo, and Fonseca; on the north bank, Senhors Lima Viana, Régis ainé, and Antonio Fernandes. With the exception of the French house (now deserted) all are engaged in the Slave Trade; those on the north bank were built to enable slave-vessels provided with legal (?) papers and colours to ship their slaves there, avoiding the rather difficult passage round Palm Point, and so having only a straight reach out of the river. The "*Mariquita*" shipped her slaves close to the house of Antonio Fernandes. The houses on south bank were built chiefly to facilitate the transport of slaves to Mangue Ambrizette, &c.

LIST of Factories at present standing at Porto da Lenha, from West to East.

Nos.	Owners.	Nation.	House represented by	
1	Senhor Alexandro	Portuguese ..	Senhor Fereira ..	S
2	Senhor Carvalho	Spanish	Senhor Lopes Guimaraes	S
3	Senhor Santa Silva	Portuguese.	. .. ..	S
4	Senhor Oliveira	Ditto	Senhor Oliveira ..	M
5	Senhor Fonseca	Spanish	Senhor Figueredo ..	S
6	M. Régis ainé	French	M. Victor Parrat ..	M
7	Senhor Guillermo	Portuguese ..	Senhor Paulo Vilalonga .	S
8	Senhor Lemos . ..	Ditto	Senhor Lemos ..	S
9	Senhor Fereira .. .	Ditto	Senhor Fereira .	S
10	Senhor Barros	Ditto	Senhor Barros ..	S
11	Messrs. Hatton and Cookson ..	English	Mr. Mc Culloch ..	M
12	Senhor Fernandes	Portuguese ..	Senhor Monteiro ..	M
13	Senhor Ramos	Ditto	Senhor Ramos ..	M
14	Senhor Lima Viana . ..	American ..	Senhor Leopoldo ..	M
15	Herr Kirdyke	Dutch	Herr Baak	M
16	Senhor Moreno	Portuguese ..	Senhor Moreno ..	M

With the exception of the Dutch, French, and English houses, the whole are mainly engaged in the Slave Trade, which is at present almost at a stand-still, owing to the great difficulty found in procuring ships. Several of the houses are insolvent, and if the present dearth of ships continues must be entirely ruined. The little trade done by the Portuguese in oil and ground-nuts ("juigubas") is merely to enable them to purchase provisions, &c.

At present there are two native Kings of the Porto da Lenha country, Ninjala and Ningongo; these Kings are not allowed by country custom to see the river, so are represented at Porto da Lenha by interpreters (of linguisters)—Ninjala by Machelle (recently deceased, successor not yet named), and Ningongo by Shimbass. These linguisters speak Portuguese well, and receive the customs and tribute levied on the factories, the owners or which have placed themselves under the protection of either one or the other. I have marked the factories belonging to Machelle with an "M," and those to Shimbass with an "S."

September 2.—At 2·30 P.M., left Porto da Lenha for Boma by Maxwell River (called by Portuguese and natives "N'Canga"): reached Boma at 1·30 P.M. of the 3rd.

From Porto da Lenha to Boma I found the chart mainly correct, but all the Islands and banks have greatly altered. The two channels "Mamball" and "Konio" of the chart ought to be called "N'Shibul" and "Sonio." At the spot where "Loombee" is set down on the chart is the modern "Boma," Loombee itself being a "gurtanda" (or market-place) about three miles north of Boma. The Booka Island of the chart is called "Zunga Chyá N'Gandi;" on its south-east extremity it is high land well wooded, and would answer admirably for an English settlement. "Kekay" of the chart is "Simule Kete;" it is high, woody, conical, and stony. I beg to inclose a chart in which I have marked in red ink the alterations about Boma, but from the shortness of time at my disposal I was unable to make any regular survey; the alterations are therefore only roughly put in.

The Lightning Stone (or "Tadi N'Zazzi" of the natives) is an upright block of granite on the top of a hill, about 1,000 feet above the sea-level; the stone itself is about 30 feet high; the hill is covered with loose granite rocks. "Fingal's Shield" (not mentioned in chart) is a flat slab of granite banded with quartz, formed somewhat like a Caffre shield (when looking from the east); it rises perpendicularly up from the water's edge, and is about 40 feet high by 30 feet broad. The current here runs with great velocity.

On reaching Boma we anchored near a small Portuguese schooner, having the body of Machelle (King Mingalo's late linguister) on board; he had been dead upwards of two months; the corpse had been dried by fire, and was about to be taken to the burying-place of the Kings, situated in the middle of the Island of Buku, to be there laid out in state for six months previous to interment. The coffin was about 12 feet long by 4 feet broad, covered with cloth and gold; on the top were three raised knobs, on which were placed two bottles (empty) and a (fancy) dragoon's helmet; the body itself (they said) was wrapped in cloth covered with gold and silver ornaments to the value of about 600*l*.

September 5.—Started to visit King Messalla of Chinsalla, the so-called King of Kings of Boma, our object being to procure interpreters, canoes, &c., for proceeding up the river. After forty-five minutes' paddling up the river from Boma, entered a narrow creek between Buku Island and the northern shore, then passed the burying-place of the Kings, and after experiencing some difficulty in crossing a small rapid, reached Banza Chinsalla at 8·45 A.M. Banza Chinsalla is situated on the northern shore of the river, opposite the east end of the eastern-most Chinsalla Island; it affords a good view of the river, and no canoes are allowed to pass it without permission of the King, who is all-powerful as far as Lasugu. We were well received by King Messalla and his Chief Minister Mambooka Prata. Messalla appears to be entirely in the hands of the Mambooka, who is called "Prata" (silver) on account of his great wealth; he is worth in slaves and goods over 30.000 dollars, entirely made by the Slave Trade, and chiefly in connection with the French house. After a palaver of an hour and a-half, and our paying the sum of about 15*l*. in merchandize and presents, we procured two interpreters, two canoes, and twenty men, to take us as far as Ninokki, beyond which Messalla cannot send his slaves. I had particularly to assure the King that our expedition was not in any way connected with trading purposes, and that I had not come with any intention of making "war palaver." I told him that the British Government would always befriend him and advance his country if he would only give up the Slave Trade.

At present the price of slaves at Boma is as follows: a full grown strong man, 25 milreis; a boy, 20 milreis; a young girl, 20 milreis; and for a woman, 15 milreis.

In September 1863 the prices were: for a strong man, 80 to 90 milreis; for a boy 60 to 70 milreis; a girl 80 milreis; and for a woman, 50 to 60 milreis.

List of Factories at Boma from West to East, and by whom represented.

Nos.	Owners.	Nation.	By whom Represented.
1	M. Régis aîné	French	Deserted.
2	Senhor Alexandro	Portuguese	Ditto.
3	Senhor Fonseca	Spanish	Senor Manuel Masting.
4	Senhor Antonio Fernandes	Portuguese	Senhor Vincente Pereira.
5	Senhor Oliveira	Ditto	Closed.
6	Senhor Carvalho	Ditto	Senhor Guimaraens.
7	Senhor Lemos	Ditto	Senhor Lemos.
8	Senhor Santa Silva	Ditto	Closed.
9	Senhor Lima Viana	Ditto	Ditto.
10	Senhor Barros	Ditto	Deserted.

The avove houses are mainly engaged in the Slave Trade, but at present very few slaves are bought, owing to the great difficulty experienced in shipping them off.

September 6.—4 P.M., left Boma in canoes, and arrived off Banza Chinsalla at 9·30, where we were obliged to land and to hold another palaver, and give some trifling presents (extra). 10, went on till 2 A.M. Stopped to rest paddles at Chingura Point.

September 7.—6 A.M., went on. 8, passed Oscar Rocks, called "Langa ya N'Gondo." Catto Fonda, the easternmost, may be distinguished by a very remarkable tree (a fig) standing on east extremity.

I may here state that all the villages on the river's banks, save one, are deserted, the people having been kidnapped to such an extent that they have retired to the high ground on each side, which I am told is densely populated. The exceptional village is Lusugu, belonging to a Chief named M'Péso, who stopped us with a fierce demand for tribute.

On leaving Lusugu passed the very remarkable island "Boola Becca" of chart, native name "Shika chayá N'Gondo." It is a quoin-shaped mass of rock, with a single fig-tree standing on the thicker extremity. No signs of "weird sisters" visible. About two miles higher up the high land recedes a little, where, fringing the water's edge, is a very beautiful reach of palmyras, a tree called by the natives "N'tebé." On passing Palmyra Reach, land becomes higher, rising abruptly from the low patches of grass at the water's edge to the height of from 1,500 to 2,000 feet. These mountains in the rainy season discharge a great quantity of influents into the river, which influents rushing down into the low grassy patches wash them away, and so form the floating islands fallen in with during the rains off the river's mouths.

On reaching Diamond Rock tracked the canoes with much difficulty, owing to very strong current. Diamond Rock shows (by drift-wood on it) a clear rise of twelve feet in the river. 2 P.M., landed at Nokki Congo of chart; the village had, however, entirely disappeared. Sent up interpreters to Nesudikera, King of Banza Nokki, to announce arrival, and to request men to carry loads.

September 8.—Visited by six Chiefs and about forty men, well armed, who were to carry loads. Started at 9·15 A.M., reached Banza Nokki at 11·30, direction having been south-east a distance of five miles, road over granite mountains plentifully sprinkled with quartz, ground being barren. Found Banza Nokki a village of about fifty wicker-work huts, exceedingly neatly built. It is surrounded by nearly a dozen villages of about the same size. It stands 1,500 feet above the sea-level. About the villages are some very beautiful spots, with plentiful cultivation. Received well by King Nesudikera, a young man of about 22 years of age; he is, however, King only in name, being quite guided by his father, Gidi Mavoungo, and the Head-men.

After an hour's very stormy palaver, the King asked such tremendous sums for permission to proceed on, and to furnish us with the number of men requisite for carrying loads, that we at once saw that it was impossible to get on, until, by quietly waiting some days, they should moderate their demands; I therefore, not having permission to remain away from my ship longer, and having told Gidi Mavoungo and King Nesudikera that the Captains of Her Majesty's ships would inquire constantly after the safety of Her Majesty's Consul, returned to Ninokki and proceeded down the river.

From Boma to Nokki I found the chart mainly correct, but the reaches are very much broken by the sudden turns of the river, giving it a very beautiful appearance, resembling a series of mountain lakes.

The trees on banks are palmyra, calabash, fig, and silk cottons; very little sign of cultivation except near Lusugu, where I observed maize, mandioc, and tobacco.

The climate appeared very salubrious, and the river, being in a perfect trough, there is a constant sea-breeze, which usually continues during the night. I consider there would be no difficulty whatever in navigating the river up to Ninokki in a small steamer of good power, carefully noting the sunken rocks, the position of which may be easily known by the small whirlpools that are found round them.

From Boma to Banana the chief legal trade is palm oil. On the upper waters a trade in ground-nuts is increasing, both of which are capable of immense expansion, particularly that in ground-nuts, which brings 100 per cent. profit. At Boma a bag of ground-nuts weighing 64 lbs. may be bought for 3*s.* 4*d.* I need, however, hardly say, that the moment there is a demand for slaves every other trade is at once thrown over.

Boma is evidently the great depôt and chief mart for slaves, who are collected from very distant places.

Boma has the Rio Jacaré on the north side, running nearly to Landona, and, I believe, meeting, or nearly meeting, the Rio Kacongo; and on the south side the Rio Sonio, connecting it with Ambrizette, Mangue, &c.

The tribes which supply the Slave Trade, I find, are called the "Maxi Congos," the "Mundongos," and the "Misslis."

Between the Misslis and the Mundongos is the lake where the north-east branch of the Congo is said to rise, and the natives describe the lake as being of great size, and having quite a sea-horizon.

On reaching Banana I carefully sounded the entrance to Banana Bay, and found, at dead low water, nothing less than 3½ fathoms.

I have, &c.
(Signed) J. PERRY.

No. 164.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

(Extract.) *January* 21, 1864.

COMMANDER HOSKINS reports that he was informed, in October last, by a merchant who was present when the transaction took place, that the French whaler "Léopard," detained by him in February 1863, was made over to a slave-dealer at St. Paul de Loanda within two days after her arrival at that place.

He also reports that on the coast south of St. Paul de Loanda, particularly in the neighbourhood of Novo Redondo and Equimina, the Slave Trade has of late been revived, and he was informed by the Governor of Little Fish Bay that several vessels had escaped during the past year.

A cruizer has been kept constantly on this part of the station, but Captain Hoskins very justly says "that it would require the strength of the division to be doubled to watch it effectually; and the only hope of a complete suppression is through the Portuguese Government, whose territory it is, and who constantly use as an argument for their being allowed to occupy the Congo, that they would and could suppress it there."

No. 165.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir, *"Narcissus," Simon's Bay, January* 12, 1864.

I REQUEST you will acquaint their Lordships that, having noticed the arrival in Table Bay of two large ships, under Portuguese colours, with Chinese coolies on board for passage to Havana, I called upon the Port Captain at Table Bay to furnish me with such particulars as he could acquire relative to the characters of these ships and the manner of obtaining the coolies. I beg to inclose his replies for their Lordships' information.

2. The ships are stated to be American, with Portuguese papers and colours, and chartered by Spanish agents.

3. I presume, and hope, that this may be a system which will be found to be more profitable than the abominable Traffic in Slaves; but in what way these emigrants are procured in China will be best ascertained from our authorities at Macao.

I have, &c.
(Signed) B. W. WALKER.

Inclosure 1 in No. 165.

Mr. Wilson to the Secretary to the Naval Commander-in-chief.

Sir, *Port Office, Cape Town, January* 7, 1864.

IN answer to the inquiries contained in your letter of the 5th instant relative to the Portuguese ship "Luista Nunez," I beg to inform you, for the information of the Admiral, that the "Luista Nunez" is a Portuguese ship of 684 tons, owned, in Macao, by Filemena M. de Gracia, a resident in Macao, and chartered by him to the Spanish Empressa de Colonization Alliance of the Havana, whose agents at that port are Ferman Dupirres, Captain Nunez in command, who proceeded from Macao, on the 30th October last, with 342 Chinese coolies, bound to the Havana.

It appears that the coolies were procured and engaged in the usual manner, with the consent of the Portuguese authorities, and properly cleared by the Customs. The seal of the Spanish Consul is attached to each individual passport on board. No Government official in charge. The arrangements are precisely similar to those in use during the last ten years in which the trade has been carried on.

I may further state that the same vessel was consigned to the House of Messrs. Thomson and Watson, whose principal is the Portuguese Consul at this port, and who informs me that all his papers and documents are genuine, bearing the seals of the authorities at Macao as required by law. His register was exhibited at the Custom-house on the occasion of entering and clearing at this port. She is an American-built vessel, and was sold in Macao to her present owners. She sailed yesterday.

A large Portuguese ship with coolies has just been made out from the Signal Station as standing in. No doubt another vessel of the same description.

I am, &c.
(Signed) H. WILSON, *Port Captain, Table Bay.*

Inclosure 2 in No. 165.

Mr. Wilson to Rear-Admiral Sir B. Walker.

Sir, *Port Office, Cape Town, January* 7, 1864.

THE "Camoens," Portuguese ship, which arrived this afternoon, is an American ship called the "Julia J. Taylor," Captain Cooper; his officers and crew are nearly all the same he had when here before. He tells me that the ships are placed under Portuguese colours for protection against Confederate cruizers; they have a nominal master, who appears before the Consul to sign the papers, &c.

The "Luista" was the "Fanny Fern" formerly, also at this port, and is under similar arrangements to the "Camoens," so that as far as papers go they are virtually Portuguese; once in New York, American again. The coolies are Chinese; very well cared for; apparently exceedingly clean; shipped by the house mentioned in my letter of this morning. I believe British ships are restricted from carrying Chinese coolies to Havana, owing to some information leaking out not creditable to the Portuguese and Spanish Governments.

I am, &c.
(Signed) H. WILSON, *Port Captain, Table Bay.*

No. 166.

Commodore Inglefield to the Secretary to the Admiralty.

Sir, "*Majestic*," *Rock Ferry, February* 25, 1864.

IN reply to your confidential letter of the 24th instant, I have the honour to report that I have made full inquiry with reference to the firm in question, and I find that Messrs. Knowles and Foster have only one acknowledged place of business, and that is at 42, Moorgate Street, London. This business consists entirely of banking and commercial operations with Brazilian and Portuguese firms.

The house is of high standing, and I am led to the conclusion that it is not interested in any of the operations of its correspondents, but accepts bills and sells produce on commission.

A correspondent of theirs at Bahia, named Marinho, has been in the Slave Trade, but he is not supposed now to have any interest in this Traffic, as he has amassed a large fortune, and also owing to the difficulties put in his way by the Brazilian Government.

Havana Hotel is a small house situated in a low part of Liverpool, and evidently only used as a temporary residence or house of call for agents, and not in any way connected with the firm of Messrs. Knowles and Foster.

I have only to add that my information has been obtained confidentially from a highly respectable Liverpool firm, who have long had business connections with Messrs. Knowles and Foster.

I am, &c.
(Signed) E. INGLEFIELD.

No. 167.

[Treaty with Marabouts and Soninkees.]

No. 168.

Captain Hoskins to Commodore Wilmot.

Sir, "*Zebra*," *Jella Coffee, January* 25, 1864.

IN obedience to their Lordship's orders for me to report the circumstances attending the capture of the American schooner "*Mariquita*" by the "Zebra" in March of last year, I have the honour to inform you that the "*Mariquita*" entered the Congo in the end of February 1863 from London to New York under American colours, and was boarded by the "Bloodhound" and "Griffon." She had previously made two legal voyages to the South Coast.

On my arrival off the Congo on March 10, I relieved the "Griffon" in the blockade of the river, and received from sources on shore reliable information that Captain Bowen, late of the notorious slaver "*Nightingale*," was about to run a cargo of slaves in her, openly boasting that he did not care how many cruizers were off the river. I therefore anchored the "Zebra" on the Banana banks, where he must pass if he attempted to drift out; and on the evening of the 16th March, sent my boats up the river, having been informed that on that evening the attempt would be probably made.

The next morning (the 17th) I received information she had slipped out the previous night (which was very dark) along the south bank; I accordingly immediately weighed under steam, and captured her the same afternoon standing off the land, and about thirty miles west of Point Padron. On our approach she hoisted Spanish colours, and, on boarding her, the officer (Mr. W. S. Bouchier, who had seen Captain Bowen before) accosted him by name, which he responded to, but declared he was only a passenger; notwithstanding which I sent him to St. Helena, where he was released, and whence he returned to the coast in an American whaler.

It appears that there exists no means of punishing through the Courts at St. Helena men convicted of slave-trading under other than the English flag, as Commander Beamish in vain exerted himself to procure the punishment of the crew of the "*Josephine*" ("*City of Washington*") condemned there by him.

I have, &c.
(Signed) A. H. HOSKINS.

No. 169.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Sierra Leone, February* 21, 1864.

I HAVE again to call your attention to the shipment of slaves from the Portuguese Possessions south of St. Paul de Loanda.

2. Captain Bythesea informs me that reports have reached him of the escape of several slavers from the neighbourhood of Benguela and Novo Redondo.

3. I have desired him to communicate with the Governor-General on the subject,

and to remonstrate very strongly with his Excellency upon such a state of things being permitted where the Portuguese flag is flying.

4. I hope their Lordships will call upon the Portuguese Ambassador in London for an explanation of these extraordinary proceedings.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 170.

Lieutenant Hewitt to Commodore Wilmot.

Sir, "*Investigator*," *Lagos, February* 9, 1864.

I HAVE the honour to inform you that on the 27th ultimo, being at the time about three miles south-west of Atakoo, I boarded the British cutter "*Kate*," belonging to Mr. T. J. Clayton, merchant of Accra, and after a careful inspection of the vessel, her papers, and cargo, I deemed it my duty to detain her on the suspicion that she was engaged in or aiding the Slave Trade.

The circumstances under which I detained this vessel were as follows:—

Her Majesty's ship under my command was at the time off Atakoo in search of a very suspicious vessel under English colours, called the "*Louisa*," expected there from Accra.

The cutter was sighted standing off the land, and showed English colours. I sent Mr. Adlam, second master, to board her, and on his return he informed me that the master (a coloured man) said that the papers were locked up and could not be got at; that she had on board a considerable quantity of powder and arms, and eleven large casks. I then went on board with Mr. Maxwell, assistant paymaster, and informed the master that I must detain the vessel until he produced her papers. He then broke open the owner's portmanteau and produced the papers, but the manifest of cargo and Custom-house certificate of the casks were wanting. Three of these casks had water in, the others were empty; they would hold about 120 gallons each. I therefore detained the vessel on the ground of being engaged in or aiding the Slave Trade.

The latter is the most probable, as she is too small to take a cargo of slaves, unless for a short distance to a vessel laying off the coast, and for this purpose I think she was intended.

She had, I discovered, landed at Addah, in the Gold Coast Protectorate, a quantity of powder and muskets which are sent up to the Volta to the Ashantees; this I believe to be illegal, and I have written to Governor Pine on the subject.

I placed the vessel in the Vice-Admiralty Court at this place on the 4th instant.

I have, &c.

(Signed) DUDLEY HEWITT.

No. 171.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Sierra Leone, February* 20, 1864.

MY last letter of proceedings was from Sierra Leone, and I informed you that I was about to proceed northward.

I accordingly left this anchorage on the 30th of last month with his Excellency the Governor on board, who was anxious to accompany me for various political reasons, and anchored off Bathurst on the morning of the 3rd instant.

The Marabouts and Soninkees were at war with each other, and Colonel D'Arcy was endeavouring to mediate between them. He had formed a camp in the neighbourhood of Cape St. Mary's to watch their movements, and to be prepared in the event of their advancing into British territory.

My arrival at Bathurst was well timed, and had the effect of inducing them to listen to the Governor's proposals, for which purpose I went down in the "Rattlesnake" to Goonjour, the chief town of the Maraboats, distant about fifty miles from Bathurst, and there induced the Head Chiefs to come off to the ship and sign the Treaty inclosed in my letter of the 15th instant.

5. I made some presents on this occasion according to the custom of the country, and fired the usual salutes, as the Treaty is a very important one, and will, I trust, put a stop to all future wars in the Gambia.

6. On my return to Bathurst the Soninkee Chiefs were called in, and likewise signed the Treaty; the same presents were made to them.

7. The Governor, Colonel D'Arcy, is well satisfied at the prospect of peace, and resumption of trade, which this Treaty holds out.

8. I left the Gambia on the morning of the 10th instant, and arrived at Goree the same evening. The French Commandant, Lieutenant-Colonel La Prade, of the engineers, saluted me on landing. He sent one of his household to show me over the Island, which is well fortified and contains 2,500 inhabitants, including French soldier and whites. There are plenty of good houses and shops, and trade seems to be carried on briskly with the natives from the opposite shore.

9. I went over to Dakan, a new settlement on the mainland, two miles across, and here there is a large Government establishment of cavalry horses and mules for military purposes.

There are also a great number of large houses building, with missionary schools and Sisters of Mercy. The Government have a very fine garden of about two acres, distant an hour's ride from the settlement, kept in order by French soldiers under a sergeant, in which are grown excellent vegetables of all kinds, including celery.

10. The climate here is favourable to vegetable productions if well watered and attended to. Ground nuts are largely exported.

11. It has been reported that the Government intend making this new settlement their head-quarters, but I do not think it likely, as the expense of moving everything from St. Louis (Senegal) would be enormous.

12. I am told that 1,000,000*l.* sterling per annum is expended in the colony without any return whatsoever, in comparison.

13. There are several thousands, some say 10,000, others say 5,000 French soldiers employed in Senegal in different parts of the colony, and there is also a native regiment of all creeds, 800 strong.

14. Boys at the school at Dakan are taught different trades, and read French perfectly; they have also cultivated a very fine garden of vegetables close to the school.

15. I left Goree on the evening of the 11th, and anchored off St. Louis on the following day.

16. The French Government very kindly sent a steamer out which enabled us to cross the Bar and ascend the river to the town, a distance of about four miles. At the landing-place great crowds, white and black, were assembled, and the Governor received us in his house with great cordiality.

17. We remained for the night at the Government House, and in the evening all the officials were invited to meet us. The next morning horses were provided, and a public breakfast at 11.

18. At 1 P.M. we returned to the ship in the same steamer that brought us in.

19. Nothing could exceed the kindness and hospitality of the Governor-General Faidherbe, who wished us to remain a week and go up the river.

20. War is going on at present between the French and natives in the interior.

21. I will send you a few observations on this French colony by the next mail in a separate letter.

22. Leaving St. Louis on the afternoon of the 13th, I anchored at the Isles de Los on the morning of the 17th, and went over the Factory Island and Tamara. The principal trade is in curing fish and sending them to Sierra Leone, but the natives seem well to do, and their huts are clean and well built. Cassada and the ground nut are cultivated, but the latter in small quantities.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 172.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Goree, February* 11, 1864.

WITH a view of developing the resources of Western Africa, and of Sierra Leone in particular, it has been determined, by a Committee of gentlemen at Sierra Leone, presided over by the Governor, that an Exhibition of native art, manufacture, agriculture, live stock, and African produce of every kind shall take place (D.V.) there at the close of the year.

I feel quite certain their Lordships will approve of this Exhibition, and that they will encourage it by every means in their power.

The time has arrived when the minds of the natives on this coast must be raised, by some means or other, to a proper perception of their own ignorance and their own requirements.

There has been no improvement in the cultivation of the soil for the last thirty years, nor in their native manufactures.

Nature has supplied all their wants without much labour or expense. What satisfied their ancestors satisfies their descendants now, and education seems to have left them in a worse position than they were before; because, being able to read and write, and possessing a little knowledge of things in general, they are too proud to work, and too indolent to put the spade to the ground. All they think of is dress, and how to make money with the least possible exertion.

One thousand pounds is required to commence the proposed undertaking and set it fairly afloat. Of this sum 250*l.* has been given by the Colony, and 150*l.* already subscribed by the merchants and others.

I am induced to hope their Lordships will assist this Exhibition, and add to the funds required, because I think it will, under God's providence, be the means of lifting the veil from the eyes of these ignorant people, and show them how far they are behind in all things connected with the best and most material interests of their country.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 173.

Commander Douglas to Rear-Admiral Sir C. Freemantle.

Sir, "*Espoir*," *at Sea, Lat.* 20° 34′ *N., Long.* 28° 18′ *W., March* 11, 1864.

IN pursuance of instructions from Commodore Wilmot I called at the Cape de Verde Islands on my way to England, to inquire into questions relating to the Slave Trade, as directed by my Lords Commissioners in their letters to Sir B. W. Walker.

My inquiry was directed principally to these points—

1. The assertion that a vessel, called the "*Atlantic*," with slaves on board, had received refreshments at Porto Praya, Island of St. Jago.

2. The assertion that a vessel, supposed to be the "*Caledonia*," owned in Porto Praya, was engaged in the Slave Trade; and, further, that she had been captured by a British cruizer.

3. If the Cape de Verde Islands were still used by American vessels, *i.e.*, since the date of the Treaty, to complete their slave outfit for a venture to the West Coast of Africa.

To carry out these instructions I first visited the Island of St. Vincent and communicated with Her Majesty's Consul, Mr. Miller; I then proceeded to St. Jago and waited on the Governor. In conversation I mentioned the object of my visit. In reply, the Governor stated he had always done his utmost to prevent the Slave Trade in his Government (which includes Bissao, on the mainland), and requested I would write to him on the subject; I accordingly did so, a copy of which letter I inclose, as well as the answer of his Excellency.

With regard to the "*Atlantic*," I could not obtain any information to substantiate the assertion; no vessel would be granted supplies unless she entered the port, and it is absurd to suppose that any slave-captain would have run such a risk, or

that any official would have been mad enough to allow it, as in a place with a mixed population, like Porto Praya, numbers of people would be glad of the chance to denounce the Government.

The "Caledonia," also stated to be the "Candidia," proves to be the "Candinha," a vessel of about 60 tons.

In 1863 this vessel left Porto Praya on a trading voyage for the coast. The master, with more regard for his own pleasure than the interest of his owner, remained a long time on the coast, forty days at Goree. The absence of the vessel from Porto Praya gave rise to the report that she was slaving. On the return from this voyage she changed hands and made a trip, in November 1863, to Bissao, returning to Porto Praya on the 30th of the month with a cargo of provisions. She, about the end of 1863, sailed for the Island of Brava, thence again for Bissao. This time a report was current that she would be engaged in the Slave Trade; the Governor, as he informs me in his letter, immediately forwarded most stringent orders to his subordinate the Governor of Bissao with regard to the vessel: and my last information, private as well as official, shows that she was closely followed by a man-of-war schooner, who was watching her movements.

With regard to vessels still calling at the Cape de Verde for supplies, some casks and provisions were landed, in June 1863, on the Island of St. Antonio, it was supposed with the intention of supplying some slave-ship; any such intention was frustrated by the watchfulness of Her Britannic Majesty's Consul, who denounced the affair to the Governor.

Further, in September 1853, 150 water-casks were imported into St. Vincent by the Portuguese mail-steamer; on my visit in March they still remained in the Custom-house, and it was supposed they would be sent back to Lisbon.

Though I could gain no positive information on this point, some of this group of islands may be frequented by vessels desirous of filling up their water the last thing before proceeding to the coast.

The small bays in the islands are frequented by whalers, who fish in the neighbourhood; the islands themselves yielding little but water, and in some places salt, are consequently but thinly inhabited.

To search every vessel thoroughly which anchored for a few hours would require a large staff, hence it would be hardly fair to bring a charge of conniving at the Slave Trade againt the local Government; and if one or two slave-vessels among many legal traders did obtain a supply of water, any other store, as in this case of the water-casks, could not be formed without attracting immediate attention.

I have, &c.
(Signed) SHOLTO DOUGLAS.

Inclosure 1 in No. 173.

Commander Douglas to the Governor-General of the Cape Verds.

Your Excellency, *"Espoir," Porto Praya, March* 3, 1864.

IN accordance with the wish expressed by your Excellency in the interview I had the honour of having this morning, I have now to intimate that, in pursuance of the instructions of my Government, I am to ascertain if any credit can be attached to the report that these islands are in any way used to facilitate the Trade in Slaves, and more especially if any ground exists for the statement that a vessel called the "Candinha," of this port, conveyed a cargo of slaves during last year, and is still employed in this Traffic.

From what passed at the interview above alluded to, I would solicit from your Excellency the co-operation you so promptly offered to afford me, and would be happy to receive such information as may assure Her Majesty's Government that the attention of that of His Most Faithful Majesty has been directed to this subject, and that every precaution has been taken to prevent this Trade being successfully carried out from these islands.

I have, &c.
(Signed) SHOLTO DOUGLAS.

Inclosure 2 in No. 173.

The Governor-General of the Cape Verds to Commander Douglas.

(Translation.) *Head-Quarters of the Government of the Province, in the City of Praia,*
Illustrious Sir, *St. Jago, March* 4, 1864.

I HAVE the honour to acknowledge the receipt of your letter under yesterday's date, informing me that, in accordance with the instructions of your Government, you wish to ascertain if any credit can be given to the saying or reports that these islands have in some manner favoured the Slave Trade, and especially if there exists any

foundation for the participations that a vessel named the "Candinha" carried a cargo of slaves last year, and is still employed in this Traffic; also soliciting my co-operation, and manifesting your desire to obtain such information as may assure the Government of Her Britannic Majesty that the attention of the Government of His Most Faithful Majesty has always been efficacious in preventing the success of such speculations in this island.

In answer I must in the first place assure you that in the Cape Verde Islands the heinous Traffic in Slavery is in no way protected, or by any means favoured, being constant and efficient the attentions of the Government and of His Most Faithful Majesty, whose Delegate I am in this Province, to obstruct, pursue, and punish any attempt of that kind which might take place.

In respect to the vessel "Candinha," to which you principally refer, I am convinced that no foundation exists to credit that she already carried a cargo of slaves. However, on this vessel's last voyage to Bissao, some reports having been spread that she was destined for that Traffic, I immediately gave the most positive orders to the Governor of Guinea, which Possession is an integral part of the Province confided to my administration, to employ the utmost vigilance on said vessel. The last news received from thence were, that although she sailed from Bissao without there being the least indication from which to suppose that she was intended for the carrying of slaves, still it being known that the owner was engaged in commercial transaction with the Southern ports of the Portuguese Possessions, the said Governor directed the schooner of war "Bissao" to watch her proceedings, and order her to sail without loss of time, with explicit orders to proceed against her as soon as there appeared a suspicion of any infringement of the Treaty for the complete abolition of the Slave Trade.

Such is the basis of the instructions which I possess from my Government in respect to the object in question, for the accomplishment of which I have employed all my endeavours, and shall continue so to do.

God preserve, &c. (Signed) CARLOS AUGUSTUS FRANCO.

No. 174.

Lieutenant Hewitt to Commodore Wilmot.

Sir, "*Investigator*," *February* 24, 1864.

I HAVE the honour to inform you that the case of the British cutter "*Kate*," detained by me, as reported in my letter of the 9th instant, was tried this day at the Vice-Admiralty Court at Lagos.

The Court decreed that the "vessel should be released, but that the owner should pay all costs and expenses, there being reasonable grounds for her detention."

I beg to inclose herewith copy of a letter received by me from his Excellency the Governor of the Gold Coast, relating to the powder and arms this vessel was trading.

I have, &c.
(Signed) DUDLEY R. HEWITT.

Inclosure in No. 174.

Governor Pine to Lieutenant Hewitt.

Sir, *Government House, Cape Coast, February* 6, 1864.

WHILE acknowledging the receipt of your letter of the 29th ultimo, reporting your having detained the British cutter "*Kate*," with her cargo of munitions of war, permit me to thank you for your prompt and energetic conduct in furtherance of any attempt to prevent supplies up the River Volta to the enemies of Her Majesty, the Ashantees.

I am surprised that any British merchant should have ventured to embark in such a speculation, when it is so notorious that I desire, as far as possible, to prohibit supplies to the Ashantees.

I had issued a Proclamation on the subject last year, but it has fallen into disuse, if not actually annulled, in consequence of its convenience to those friendly to us; but I had hoped that all loyal subjects would, for their own if not for my sake, have abstained from sending arms and powder to places where they must necessarily fall into the hands of our enemies, and I can only rejoice at the check which you have succeeded in giving to such trade.

Even if there be no Proclamation, I consider that the vessel and goods are liable to seizure by reason of the owners attempting to assist the Queen's enemies.

I regret that the Commandant of Accra should have been absent, but he is in the field with all the military force I have at command, and I regret that the vessel was not brought here for adjudication, but I doubt not you had sound reasons for taking her to Lagos; and with respect to her having received the munitions of war after she cleared, and therefore without the knowledge of the Collector, I have dir cted Mr. Cuthbert to confer with you.

I observe that you think the "*Kate*" liable to detention under the Slave Trade instructions, and heartily wish you success in your efforts for her condemnation.

I have, &c.
(Signed) B. PINE.

No. 175.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir, "*Narcissus*," *Simon's Bay*, *February* 26, 1864.

I BEG to transmit, for the information of the Lords Commissioners of the Admiralty, copy of a correspondence which has passed between the Governor-General of Mozambique and myself relative to Captain Alan Gardner, of Her Majesty's ship "Orestes," continuing the search of a suspicious Spanish barque which he had met at sea, until her arrival in the outer roads at Mozambique, from which it appears that that officer, in his anxiety to ascertain the true character of the "*Duque de Tetuan*," had overlooked the fact of the vessel having arrived within the jurisdiction of the Portuguese flag.

I have, &c.
(Signed) B. W. WALKER.

Inclosure 1 in No. 175.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir, "*Orestes*," *at Sea*, *November* 25, 1863.

I BEG to inform you that on the 24th November, when thirty miles south of Mozambique, a vessel was observed standing to the northward. Upon closing her she hoisted Spanish colours.

At 9 A.M., taking with me Lieutenant Lang, I proceeded to examine the stranger; found her to be "*Duque de Tetuan*" (formerly "Nuestra Senora del Carmen"), of 585 tons, Manuel Bisquerto, master. This man's name is on the Government list of suspected vessels as Captain of the "*America*." The person commanding the "*America*" is Antonio Bisquerto, a brother of this one. I examined the ship's papers, which appeared to be right. The vessel had cleared out from Cadiz for Monte Video with six passengers, and had a port clearance from the latter place dated 28th August, for Mozambique. On her way she had touched at Quilimane.

The crew consisted of eighteen; all, as far as I could judge, Spanish and Portuguese.

I then proceeded to examine and search the vessel. I found she had a regularly built lower deck nearly seven feet high. The captain explained she had been built for carrying passengers, and that on her last voyage she had carried passengers between Cadiz and Havana; the marks of the cabin bulkheads were still visible, and the floor cloth remaining in the steerage. There had been scuttles to all these cabins; those in the steerage were filled in from outside.

The vessel was in sand ballast, with salt in the after-hold.

There were several cases of arms, which were down in the manifest. There were two 4-ton tanks in the afterhold, casks enough in the mainhold to carry nine tons of water, a tank one deck, and one of the tanks in the afterhold was said to be stove.

In one of the sleeping berths in the cabin were lying quite open, and exposed to view, three pairs of handcuffs, and two sets of shackles or bars. Upon calling the captain's attention to them, he said they had been always in the ship, and were intended for maintaining discipline among the crew. To prove that they were part of the furniture of the ship, he produced the catalogue of the fittings, in which they were exactly described.

As there could be no doubt that this vessel is a confederate of the "*America*," whose arrival we had been told to expect, and as the "*America*" is strongly suspected of being engaged in the Slave Trade, I could not but look upon her as a most suspicious vessel; but as the only thing that I could see to justify me in sending her to a Court of Adjudication was the presence of the irons, I did not consider it sufficient to detain her. I therefore let her proceed.

Both vessels continued standing on for Mozambique. After the lapse of two or three hours, considering it would be desirable to obtain further evidence if possible, I sent Lieutenant Lang on board the "*Duque de Tetuan*" with a party to take temporary possession of the vessel, and to anchor her in Mozambique, in order to subject her to a further search.

Two more tanks were discovered in the forepeak, making in all receptacles for twenty-four tons of water, an extraordinarily large quantity for a merchant-vessel with eighteen men, but nothing to what the vessel would have required for a slave cargo.

These evidences would have justified me in sending the vessel to Court for adjudication, but I did not think they would condemn her.

I perfectly believe what the captain asserted, that no slave-fittings had been put in the vessel, and that she was in all respects in the same state as when running between Cadiz and Havana.

The captain told me that he expected two vessels, a brig and a schooner, from Quilimane, with rice with which he was going to load for Cadiz; and I heard directly I landed at Mozambique, that these vessels were expected with cargoes of rice for a Spanish ship.

I have, &c.
(Signed) ALAN H. GARDNER.

Inclosure 2 in No. 175.

The Governor-General of the Province of Mozambique to Captain Gardner.

(Translation.) *Head-Quarters of the Residency of Mossuzil*,
Illustrious Sir, *December* 29, 1863

IT has been shown by the Report of the captain of the Spanish barque "*Duke of Tetuan*," Don Manuel Biscuert, now at this port, and by the deposition taken at the Secretariat of this Government General, that the

said barque having on the 23rd day of November entered the outer port of Mozambique without flag in the wake of the corvette "Orestes," under your worthy command (which raised a presumption that she was some legal prize), was, after anchoring, boarded by two barges with armed men sent to her from the "Orestes," and these men, together with the Marines from the same corvette, commanded by an officer, who were already on board of her, continued in your presence the search which had been begun for the second time before arriving at this port. The barque was soon after declared free, and she was then allowed to hoist her flag. This took place between 4 and 6 o'clock in the afternoon, a little before the arrival of the boats from the registry of the port, and from His Most Faithful Majesty's war-steamer "Maria Anna." The captain declared at the registry that he had entered the port without a flag because the English officer who was on board had ordered it to be lowered, declaring him a prisoner, and that since he had just now been pronounced free he had then hoisted the flag. I consider that in all this extraordinary and novel proceeding there is an offence against international law on the part of the cruizing ship, because if the Spanish barque had really been the prize of the "Orestes," as it appeared on her entering this port, she could not have been released without more formality, which it appears was the final result of the search made and finished in the outer port of this town, where she cast anchor with the "Orestes;" and if she was not a prisoner, as is shown by the subsequent fact of your declaring her free, and allowing her to hoist the flag, you exercised a right over a foreign ship within this port and there anchored, which you are not ignorant could not be exercised, that of visit, thus infringing the rules of international law, and the respect due to a foreign territory, and that of a friendly and allied nation.

As these acts involve a breach of rights which it is my duty to watch over, and to make respected, as they assault the dignity of my country, and as it is clear from the circumstances reported that it was not possible to prevent by any means those acts, since they could neither be foreseen nor avoided, I consider it my duty to protest against your proceedings towards the Spanish barque "*Duke of Tetuan*" within this port as irregular and offending against international laws, as well as against the respect due to the territory of the Portuguese nation, you being responsible before the proper authority for what has taken place.

I hope you will be pleased to acknowledge the receipt of this despatch, of which I give information at this date to my Government and to the Commander-in-chief of Her Britannic Majesty's naval station on this coast.

God preserve, &c. (Signed) JOAO TAVARES DE ALMEIDA.

Inclosure 3 in No. 175.

Captain Gardner to the Governor-General of the Province of Mozambique.

Your Excellency, "*Orestes*," *at Mozambique, December* 31, 1863.

I HAVE this day received with regret a letter from your Excellency in which you state, on a representation made by the captain of a Spanish barque, Don Manuel Bisquert, whom like his brother Don Antonio Bisquert, the the captain of the Spanish ship "*America*," you agreed with me in looking upon as very much to be suspected of having come to this coast for unlawful purposes, that I boarded with armed boats and searched the "*Duque de Tetuan*" after she had anchored in this harbour, and by doing so infringed upon international right, and showed disrespect to Portuguese territory, being that of a friendly and allied nation.

I thought, Sir, that in the conversation I had the honour to hold with you on this subject a few days since, I had sufficiently explained the real facts of this case, and that I had shown by my acts since I have been on this station how little I am likely to do any act willingly or knowingly to give offence to you, or to the flag under which you have the honour to serve.

In defending myself against the charges made against me in your Excellency's letter, I beg to inform you that I fell in with the "*Duque de Tetuan*" at sea, and visited her in the forenoon of the 23rd November. I did not then detain her, but upon the fact of her having irons on board, which by the Treaty between Great Britain and Spain alone would justify me in sending her into Court for adjudication, I determined to take possession of her until I could make further investigations into the character of the vessel. I therefore, at a distance of six miles from the shore, sent an officer with an armed party and took charge of the vessel, hauling down her colours, and anchored her outside, as a very strong current was running to the southward, which would have swept both vessels away from the port.

The vessel being under my custody, I proceeded immediately after anchoring to visit her in my boat, the boat's crew unarmed, accompanied by the First Lieutenant of this ship, with our swords.

I then again searched the vessel, and, after much thought, I determined to liberate her. I signified to the captain that he was at liberty to hoist her colours, and I left the vessel without loss of time, except to take some refreshment. I proceeded on shore to wait upon your Excellency at your palace of Mozambique, but was met on the pier end by your Secretary and an officer of His Most Faithful Majesty's ship "Maria Anna," who informed me you were at your country house on the mainland. I endeavoured to explain to your Secretary all the facts of the case, for your information, and I regret now that I did not address a letter to you to explain them. My not doing so was owing to my anxiety to go to sea the following morning.

I own I am very much surprised at the complaint brought against my proceedings by the captain of the "*Duque de Tetuan*," for I treated him with every courtesy, and as there can be no doubt I should have been justified in sending him to Sierra Leone for adjudication, he ought to thank me for my leniency.

I gathered from a recent conversation with your Excellency that you looked upon the "*Duque de Tetuan*" with as much suspicion as myself; and it appears to me that her captain in claiming to be injured may think to make himself appear more innocent.

I will take the earliest opportunity of sending the copy of your letter addressed to me, together with the one you addressed to my Commander-in-chief, to the Cape of Good Hope.

I have, &c.

(Signed) ALAN H. GARDNER.

Inclosure 4 in No. 175.

The Governor-General of the Province of Mozambique to Rear-Admiral Sir B. Walker.

(Translation.) *Head-Quarters of the Government-General of the Province of Mozambique,*
Illustrious and Excellent Sir, *Residency of Mossuzil, December* 29, 1863.

HAVING at this date addressed to the Commander of Her Britannic Majesty's steamer "Orestes" the despatch of which a copy is annexed, wherein I protest against certain acts done in regard to the Spanish barque "*Duke of Tetuan*," at present anchored in the inner port of this town, I consider it my duty to give your your Excellency information thereof, as I do by this present, reiterating before your Excellency the protest contained in the same against acts which I consider to be wrongful and contrary to international law, an account of which I submit at this same date to the consideration of His Most Faithful Majesty's Government, in order that such proceedings may be taken as may be thought best.

God preserve, &c. (Signed) JOAO TAVARES DE ALMEIDA.

Inclosure 5 in No. 175.

Rear-Admiral Sir B. Walker to the Governor-General of the Province of Mozambique.

Sir, "*Narcissus*," *Simon's Bay, February* 1, 1864.

I HAVE had the honour to receive your Excellency's letter dated the 29th December last, inclosing the copy of a protest you had addressed to Captain Alan Gardner, of Her Britannic Majesty's ship "Orestes," against certain alleged acts of his towards the Spanish barque "*Duque de Tetuan*," in the outer anchorage at Mozambique. I have also received from Captain Gardner copy of his explanation to your Excellency of his proceedings in this case, which enables me to offer a few remarks in reply to your letter above-mentioned.

It appears to me that Captain Gardner, in reliance upon your Excellency's well-known determination for the suppression of the Slave Trade, has been inadvertently led into what might be considered an infraction of international law; but as you are personally acquainted with that officer, you must be aware that it is more the result of accident, arising, probably, from over zeal than intention.

On a careful perusal of his explanation you will perceive that he has acted with the fullest consideration towards the master of the "*Duque de Tetuan*;" and rather than suffer that vessel to miss reaching the port, from which she was a considerable distance at sea, when the "Orestes" met her, by any detention in searching her, Captain Gardner sent a party on board to make the usual examination whilst the vessel pursued her course. On reaching the outer anchorage of Mozambique Captain Gardner, overlooking the fact of the vessel having arrived in Portuguese waters, visited her again to learn the result of the examination, which it is not clear had been completed before the vessel in question had anchored. And when that officer had learnt that there was not sufficient evidence of the vessel being engaged in the Slave Trade, although there was much room for suspicion,—a fact, I believe, your Excellency has admitted,—he released her, and then immediately proceeded to wait upon you to inform you of what he had done.

Under such circumstances I am bound to state that there was no intention whatever on the part of Captain Gardner to show disrespect to the flag of Portugal, or to infringe international law.

I have received several reports from the Commanders of the cruizers on the East Coast of Africa, acquainting me with the exertions your Excellency is using to put an end to the cruel and unnatural Traffic in Slaves, and of the assistance you have constantly afforded them. And this induces me to express my sincere hope that you will not permit the inadvertent act which you have noticed to mar the good and friendly feeling so happily existing between the forces under our respective commands.

I have, &c.
(Signed) B. W. WALKER.

Inclosure 6 in No. 175.

Rear-Admiral Sir B. Walker to Captain Gardner.

Sir, "*Narcissus*," *Simon's Bay, February* 22, 1864.

WITH reference to your letters respecting your proceedings towards the Spanish barque "*Duque de Tetuan*," suspected of being engaged in the Slave Trade, I have to inclose, for your information, the copy of my letter to the Governor-General of Mozambique on the subject.

Making every allowance for the anxiety you must have felt under the peculiar circumstances of the case, it is to be regretted that you did not determine what measures you would pursue with regard to the vessel in question before her arrival within the limits of Portuguese jurisdiction.

I have, &c.
(Signed) B. W. WALKER.

No. 176.

Commodore Wilmot to Rear-Admiral Sir B. Walker.

Sir, "*Rattlesnake*," *Sierra Leone, December* 31, 1863.

I HAVE the honour to report upon the state of the Slave Trade on the West Coast of Africa between the 22nd October, 1862, and the 31st December, 1863.

2. Various unforeseen circumstances, connected with my duties on this coast, have prevented this Report from reaching you before, and it is necessarily taken this year very much from the journals of the Commanders of cruizers, although I have been enabled to add thereto by my own personal knowledge of the coast.

North Division.

3. I am of opinion that no shipments have been made to Cuba or elsewhere from the Northern Division of this station during the last year, as the trade of the different places has so much increased, and the people find it more lucrative to cultivate the "ground nut" and other produce than to export slaves, which is attended with great risk. To keep up this supply of ground nuts, &c., a very large amount of labour is required, and hence domestic slavery is still enforced, which is procured from the Rossoos or native tribes of the Gallinas and Sherbro country. Slaves for this purpose are shipped in canoes and sent overland to the neighbourhood of the Scarcies, Melacourie, and Forecarreah Rivers, inhabited by tribes called the Soosoos. Several captures of slaves shipped in this manner have been made by persons holding "deputations" from the Governor of Sierra Leone, and this leads to great vigilance on the part of those who traffic in them. It is currently reported that canoes have been known to contain slaves stowed away under bags of ground nuts to escape detection.

4. If the foreign Slave Trade is again revived it will be occasioned by large demands and great increase in the prices formerly given.

It has been reported, and it may probably be the case, that slaves are sent in large open boats from some parts of this coast to the Cape de Verds for agricultural and domestic purposes. I have desired Commander Douglas, of the "Espoir," to make particular inquiries into this while on his way to England, and report his proceedings to the Lords Commissioners of the Admiralty. The establishment of a military station at Bulama has had a great influence in checking the Slave Trade on this part of the station, and I have been enabled in consequence to withdraw one cruizer from the division.

The vicinity of Cape Mount, although suspicious at times, has not induced me to believe that shipments have been made from thence since I have been in charge of the station, and the occasional visit of a cruizer prevents any such attempt being made.

5. *Legal Trade.* Very few observations are necessary on this subject. Everywhere legal trade is flourishing, and is carried on principally, if not solely, by the English, French, and Americans. The "ground nut" is largely cultivated, and forms the principal export from Gambia and Goree. Hides are shipped in great quantities from Sierra Leone.

The introduction of machinery for crushing the oil from the ground nut and for other purposes would be of the greatest value, and contribute very considerably to the prosperity of trade.

The resources of the country are, however, still undeveloped, and the natives seem to be contented with merely what the bountiful hand of Nature almost spontaneously produces; they are averse to give the "sweat of their brow" to the cultivation of the soil, and to the rearing of those articles of food and commerce so essentially necessary for the progress and prosperity of their country.

I believe that a substitute has been discovered in France and America, which will do away in a great measure with the present value of the ground nut oil. If this be so, the labour and intelligence of the natives must be directed to the production of those things which the soil and climate of Africa can yield in such great abundance, and which the wants of Europe cannot do without.

What their forefathers lived upon seems still to satisfy them—"sufficient for the day is the evil thereof," and cassada, with a few ground nuts, is the staple commodity of the markets.

At Sierra Leone there is better cultivation, but even this is in small patches of garden ground, just enough to support life and keep them from starving. Coffee grows wild in the bush, but is never thought of. Cotton is of excellent quality, but no attention is paid to it. Arrow-root is of a superior kind; ginger is also very good. But I will do justice to the native farmer, and say that little encouragement is given him by the foreign merchant, who grinds him down to the lowest possible price, which scarcely pays for the labour bestowed, and entirely prevents that extension of cultivated ground which would give the farmer a reasonable chance of

increasing his store, and consequently the prospect of adding to the prosperity of the country.

Bights of Benin.

6. The Slave Trade in this division may be said to extend along the coast from the River Volta to fifteen miles eastward of Whydah, terminating at Godomey. No shipments from the Volta or its neighbourhood have been made, although Senhor Lima, a notorious slave-dealer, now deceased, resided two miles to the eastward of Quittah, and was largely engaged in the trade. There is no doubt that he procured slaves up the River Volta, and sent them inland by Lagoon and other means, to Aghwey and elsewhere for shipment by the first favourable opportunity. Adda, a town on the right bank of the Volta, furnishes slaves in this way, and Giraldo, a Portuguese black, formerly Senhor Lima's head man, is at the head of this traffic, and is largely engaged in it. He pretends to be a palm-oil dealer; but this is merely a subterfuge to cloak his nefarious pursuits. I shall make every endeavour to obtain possession of this man.

We have Treaties with Great and Little Popoe and Aghwey, for the suppression of the Slave Trade; but I am convinced that slaves would be shipped from the first and last named places if the Chiefs could do so with impunity. I have sent a very strong remonstrance to the Chiefs of Aghwey reminding them of their Treaty, and telling them in plain terms that I shall inflict a very severe punishment and penalty upon their town if any shipment is made from thence in future, or the slightest encouragement given to the slave-dealers.

I believe that only two shipments have been made from this part of the coast during the past twelve months; the first on the 20th October, 1862, supposed to be the "*Elizabeth*" which took in her cargo at Aghwey. The "Griffon," Commander Perry, a most zealous and intelligent officer, used his utmost endeavours to prevent her escape, and was only prevented from doing so in consequence of being short of fuel and giving chase to the French gun-boat (steamer) "La Motte Pique," which he mistook for the slave-steamer. This vessel was the "*Noc Daqui*," which has since fallen into the hands of the American Admiral Wilkes for attempting to break the blockade. The second steamer escaped from Godomey with 960 slaves on board, and such was the hurry evinced in shipping them, that a great many were drowned. I understand that the small-pox was raging among them, and from information lately received from Cuba it is reported that the whole of these slaves were seized by the Governor-General after they had landed.

7. I regret very much the escape of this steamer, as unusual precautions were taken by me to prevent it. The "Investigator" had been called out from Lagos, and was stationed at Whydah for a month or two previous to the occurrence, and the division was being reinforced by another vessel from the south.

The "Rattlesnake" was also in the Bights, but unfortunately the disturbances at Cape Coast Castle rendered her presence, as well as that of another cruizer, absolutely necessary at that place.

The "Antelope" had been placed at the disposal of Captain Burton, and was unavailable at the time when the slave-steamer was expected. Had I been aware of the movements of Captain Burton and that he was absent from Fernando Po, the "Antelope" would have been retained on the coast, and the escape of the steamer prevented. If my orders relative to boats cruizing and being left in suspected places had been strictly carried out, I think it is very probable that sufficient information might have been obtained which would have enabled the senior officer to stop the shipment.

8. There is no doubt that the prisoners taken by the King of Dahomey in his annual wars are sold to the slave-dealers and shipped whenever there is a good opportunity. They are marched backwards and forwards along the coast according to the presence of a cruizer, and it often happens that these unfortunate slaves are kept in this miserable state for months previous to their shipment, and that great numbers perish in consequence. Since my visit to the King of Dahomey, in December and January of 1862-63, that powerful Chief has been most particular in giving directions that slaves, whether purchased from him or otherwise, are not to be shipped from the sea-board of his territory, and I believe that these instructions have been strictly carried out as far as possible.

9. The population of Dahomey and other countries on this coast is decreasing, and consequently the Slave Trade must decrease in proportion. If these internal wars are still carried on from year to year, death by disease, sickness, starvation,

and battle, must necessarily ensue, and be the main cause of the decline of the Slave Trade, unless the Governments of Europe combine together to force the Kings and Chiefs of Africa to give up the traffic, and expel all those engaged in it from their shores.

At present the population is unequal to the necessities of the soil, and vast tracts of rich but uncultivated land are passed over without any signs of the habitation of man. Around the villages only is cassada and Indian corn grown.

What will be the prospect of this country in twenty years' time, should the present state of things prevail? As long as gold is forthcoming, and placed before the eager gaze of the Kings and Chiefs, its power will prove irresistible, and cargoes of slaves will still be seen to cross the "big water."

It will be well to consider this, and, putting all conflicting interests into the scale, devise at once some method whereby this great curse of the world shall be effectually stopped, and Africa be admitted into the brotherhood of civilized nations.

As the Volta is one of the principal depôts of the Slave Trade, I strongly recommend a demonstration to be made up that river, and the Chiefs coerced into signing a Treaty with us for the suppression of the Slave Trade, and for the expulsion of all those concerned in it from their country.

A Consul at Whydah would very much check the evil practices of the slave-dealers in the Bights.

No shipment of slaves has taken place from Whydah since I have been on the coast; and as I have given most positive directions that this long-established haunt of the slave-dealers is never to be left unguarded, I hope that nothing will occur to alter my opinion that this Traffic will ever be renewed there again.

If the present strength of the squadron is kept up, and the detachment of cruizers from their stations is not necessary, I have every reason to hope that, with the assistance of their boats during the healthy season, a vigilant blockade will be established, and success for the future will be the reward of our efforts.

But I wish to impress upon your notice that it is not always possible to keep up the strength of the different divisions, because some are constantly requiring repairs, and must therefore proceed to Ascension, although every possible assistance is rendered from the resources of the "Rattlesnake." One is always on her way to St. Helena for the benefit of the health of the officers and crew, while others are changing stations with each other.

The want of provision and fuel occasions, likewise, the temporary withdrawal of a cruizer from the station. All these circumstances are well known to the slave-dealers, and hence success frequently attends their shipments just at the moment when the cruizer's presence at her post is so essentially necessary.

10. Arrivals of slave-dealers by the West African mail-steamers constantly occur, and they bring with them not only large sums of money—as much sometimes as 300,000 dollars in specie—but also considerable quantities of powder and rum.

As much as twenty tons of powder and eighty puncheons of rum have been brought out to this coast by these steamers at one time; and I would most particularly call your attention to these facts with a view of bringing them before their Lordships' notice, that they may take such measures as will prevent these shipments being made for the future.

The proceedings of the slave-dealers on this coast have been most materially assisted by the opportunity afforded of transmitting agents and goods by these steamers, which lend their assistance, indirectly, to the encouragement of the Slave Trade. I know that the most notorious slave-dealers take their passages in these vessels under assumed names, and that the letter-bags are full of communications from persons in Cuba and elsewhere to their agents on this coast.

I presume that the Government has the power of interfering in these proceedings, and that in all future contracts made with mail packet companies on this Coast, such restrictions shall be enforced with regard to passages being afforded to suspected characters, and such heavy penalties enacted, as will seriously affect the owners in the event of their encouraging the Slave Trade, and allowing these vessels to be made a convenience of for these iniquitous purposes.

11. I strongly recommend the immediate re-occupation of Quittah with sufficient force to protect the place, and hold in check the movements of the slave-dealers in the River Volta, and the Lagoons in its rear. I am quite certain that many of the difficulties now experienced in the Volta and its neighbourhood would very soon disappear by the influence of a British force at Quittah.

12. *Legal Trade.*—Legal Trade in the Bights has much increased during the last twelvemonths, and my visit to Abomey has caused a strong feeling in favour of the English.

The bad feeling unfortunately existing between Abbeokuta and Lagos has much retarded the export of palm oil from these parts, and vessels have been detained for a considerable time off Lagos without being able to obtain even a puncheon.

I hope, however, that a better state of things will soon take place, and that the vast resources of Abbeokuta, Ibadan, Jaboo, Benin, Porto Novo, and other inland towns of consequence, whether situated on the banks of the rivers, or even far away from them, will find a ready and remunerative market at Lagos, which seems to be the natural outlet for the produce of this rich and very important part of the country.

I have seen as many as eleven vessels from 150 to 500 tons at anchor off the bar of Lagos, waiting for cargoes of palm oil; and while I am alluding to this place it seems to be a good opportunity of again calling your attention to the great advantage that would not only accrue to the Colony, but be of the greatest possible benefit to merchants and shipmasters, if the Government would provide two colonial steamers of a certain draught and power for the purpose of conveying cargoes in and out of the river. I am quite certain that these steamers would repay the Government the original cost, as well as for all repairs that may be required hereafter.

Since my visit to Abomey the trade at Whydah has been again opened to a very considerable extent, and the King has given direction that all the produce of his country may be freely offered to the merchants. The beach, which for many years past has been forbidden ground to Englishmen of every denomination, and which was considered fatal to any of our countrymen who landed there, is now all bustle, life, and activity, while the canoes with their native crews seem to vie each other in their progress to and from the ships and the shore.

Merchants are now able to establish themselves with safety in their factories on the beach; and excellent beef, mutton, fowls, yams, green vegetables of many kinds, eggs, and oranges of the finest quality, are easily to be procured.

I have seen ten vessels at anchor off this place at one time, all engaged in legal trade, during the last twelve months.

Palm oil is shipped in small quantities from Aghwey, Great and Little Popoe, as well as from other small places along the coast, including the Volta and Cape St. Pauls.

At Jellah Coffee, Mr. John Tay, a Chief of much importance in consequence of his comparative wealth, still carries on a large and lucrative trade in fresh stock of every kind. Bullocks, though small, are reasonable in price, 5*d.* per lb., and fair in quality. Mutton is good. Excellent turkeys are to be had from 3*s.* to 4*s.* each, while fowls vary from 6*s.* to 7*s.* per dozen. Good ducks are sold at 10*s.* per dozen. Yams have been very scaree of late everywhere in consequence of the great drought. Onions, tomatoes, pine-apples, cocoa-nuts, &c., are very plentiful.

I believe that these prices are considerable, and that cruizers and merchant-vessels procure them at a far lower rate.

Protected by Cape St. Pauls, and with capital anchoring-ground, the water being also comparatively smooth and the beach most easy of access, Jellah Coffee would be the most desirable place for a general rendezvous and the establishment of a depôt ship. Cruizers would be enabled to fill up with coal, provisions, and fresh stock, all at the same time, without leaving their allotted stations, because, taking it in turn, they could relieve each other, and consequently the efficiency of this division would be always preserved.

If their Lordships will sanction this proposition, many advantages in favour of the abolition of the Slave Trade will be most assuredly gained.

1st. The Bights squadron will have no occasion to leave their cruizing-ground for provisions and coal. Fernando Po will be no longer necessary as a resort for our squadron. There are no supplies of any kind to be obtained there, and the officers and crew of the "Vindictive" live almost entirely on salt provisions. This depôt ship would be far more useful at Jellah Coffee than at Fernando Po, which belongs to Spain.

2ndly. The "Vindictive" will be of great use to the Bights squadron for the reception of the sick, who will have a large and well-ventilated ship for the recovery of their health. There is always a breeze blowing along the western

coast, which is not the case at Fernando Po, for which reason epidemics are not so likely to occur. The high land at Fernando Po, with its dense bush and jungle, prevents the free circulation of the breeze, which meets with no such obstacle at Jellah Coffee.

3rdly. I have often heard the Commanders of the African mail-steamers express a desire to call at Jellah Coffee for cattle and stock, which, being disposed of at Cape Castle and elsewhere would, they say, well repay the owners, and not in any way interfere with the time allowed for performing their passage. If this can be arranged in any future contract which their Lordships may make with the Mail Companies for this coast, the letter-bags, &c., for the Bights division can be left with the depôt ship at this place.

It had been the custom previous to my arrival on this coast for the cruizers stationed on the northern part of the Bights division to call at Accra periodically for the mails, which being well known to the slave-dealers enabled them to make their calculations accordingly.

I am quite certain that this practice was injurious to our efforts for stopping the Slave Trade, and consequently I issued secret instructions to the senior officer of this division for his guidance on this subject.

There is no doubt that slave-dealers make Accra a rendezvous for their nefarious proceedings, and from thence they issue instructions to their agents and others, inland and along the coast, for purchasing and collecting slaves for shipment by the first opportunity.

These men come out by the mail-steamers, and their information of the movements of the cruizers is very reliable and paid for at an exorbitant price. It is my intention to make the most searching inquiries at Accra relative to these facts, and bring them before the notice of the Governor of the Gold Coast. It will be no longer necessary for a cruizer to call at Accra, neither need they go so far south as Lagos, because the depôt ship at Jellah Coffee will answer all the purposes required.

4thly. Last, though not least, in the many advantages which a depôt ship at Jellah Coffee holds out will be the great saving of fuel in consequence of the cruizers not being required to perform such long and unnecessary passages, as they are obliged to do at present to Fernando Po and Accra. The coal consumed in this way is very considerable, and the efficiency of the cruizers is much affected by it. All this would be saved if their Lordships favourably entertain the proposition I have made.

13. The cultivation of cotton is very little attended to in the Bights, although the soil and climate are admirably adapted for its growth. It could be produced in vast quantities everywhere, more particularly in the Dahomian country, at Porto Novo, at Abbeokuta, and all the country in the neighbourhood of Lagos, on the banks of the Niger, and in the vicinity of the palm-oil rivers.

Time, labour, and capital are, however, necessary for its production, and we cannot hope to realize the wishes of those who take such a great interest in the welfare of this country until the expulsion of the slave-dealers shall be complete, and the minds of the Kings and Chiefs directed to a far more permanent and profitable employment.

South Division.

The Slave Trade on this most important part of the station has for the last twelve months evidently been on the decline. The last shipment made from the Congo was in the "*Mariquita*" in March of this year. This vessel was captured by the "Zebra," with a full cargo on board.*

On the 9th February of this year the "Brisk" captured a schooner of 165 tons, supposed to be the "*Bella Augustina*," with 368 slaves on board, off Annabon. These were shipped in the "Congo" on the 27th January, and the master was going to Annabon for water. This vessel was much crowded, and the slaves greatly reduced by neglect and want of food.

On the 12th of August last another vessel was captured by the "Espoir," also with a full cargo.†

Commodore Douglas was going to St. Helena, and had directions from me to call at St. Paul de Loanda and Little Fish Bay on his way there. The master of this vessel stated that he had only been a few hours on the coast, and had never been boarded by any of our cruizers.

* 471 slaves. † 583 slaves.

His place of shipment was Massera, close to Kinsembo, a trading port that has lately been opened, and which has never been suspected as having any connection with the Slave Trade.

This vessel was not on the "Suspected List," and her owners, whose names are mentioned in Inclosure No. 1, the principal person of which is Senhor Monteiro, of St. Paul de Loanda and Ambrizette, must have used great precaution in the engagement of the vessel and in the shipment of the slaves, which were divided between no less than six different parties.

15. Beginning from Banda Point, the first place from which any shipment has taken place during the period of my report is Longibonda, and the slaves for this cargo were driven over from the Congo to this place, a distance of at least 200 miles, which must have entailed an enormous expense to the shippers, scarcely reimbursing them, and many deaths must have occurred on the journey.

Kilongo, to the north of Longibonda, has barracoons, in which slaves are kept in small numbers.

Black Point, to the southward of Loango, is always ready to supply slaves and equipments for the Slave Trade, such as casks, staves, &c., which are procurable at all times. American and Portuguese dealers are at hand to ship from this place; and Captain Hoskins of the "Zebra" has received information upon which he can rely of one successful shipment having been made.

We have a Treaty with Kabenda, made by myself in former years, but slaves can always be shipped from this place when an opportunity offers.

The "*Lola Montes*," captured by the "Antelope," in November of last year, was to have shipped from Londano, and the "*Britannia*" was destroyed at Kabenda. Although there was no actual proof that this last-mentioned vessel was intended for the Slave Trade, Commander Douglas considered that the fact of such a large quantity of plank being on board, for no purposes of legal trade, afforded sufficient grounds for acting in the manner he did, in addition to which the register produced was made out in the name of the "Mary Isabel," the name of "*Britannia*" being painted on her stern.

It is necessary to watch this part of the coast very closely, and two cruizers are required for this purpose.

The Congo has been for many years the principal resort of the slave-dealers, and the place from which most of the slaves have been shipped.

During the last twelve months the trade has been at a perfect standstill, and since the capture of the "*Mariquita*," in March last, no vessel, with the exception of the Dutch barque belonging to Mr. Elkman, at Banana, has been in the river.

I have lately visited Punta da Lenha, where there are at least twenty factories, only one of which, an English house, is engaged in legal traffic. There is no business of any kind stirring, and the agents in the slave factories are obliged to deal in palm oil as a means of subsistence, but even this is attended with great expense, as it has to be sent down the river, and often remains there a considerable time waiting for the arrival of a vessel.

The slave-dealers here are beginning to think seriously of leaving the Congo, not because slaves are scarcer than usual, but for the simple reason that vessels do not come there to ship in consequence of the increased watchfulness of our cruizers in this locality, and the difficulties they experience in getting away from the opposite side of the Atlantic.

Vessels, except those who are engaged by the regular slave-dealers in different countries, will not enter the Congo for the purpose of taking in a cargo of slaves, although the most advantageous offers have been made to them, on account of the risk attending their escape.

This very much increases the difficulties of the slave agents at Punta de Lenha, in addition to which their misfortunes are increased in consequence of the expulsion of some of their agents from the Havana, and the non-payment of former shipments.

Two vessels, the Portuguese brig "Resolute," and the Spanish brig "Concepcion," were for sale in the Congo some time back, and would have been purchased but for the want of funds caused by the circumstances mentioned above.

The "*Laura*" and "*Venus*," under Portuguese colours, entered the Congo in February last, from the Havana; both were on the "Suspected List," and were detained by the "Zebra" and "Antelope." The "*Laura*" was condemned as a "good prize" to the "Zebra," but the "*Venus*" was released without demurrage,

the Portuguese authorities at St. Paul's de Loanda taking particular care to prevent her making an illegal voyage. This vessel afterwards sailed for Lisbon with a regular cargo.

The escape of the "*Ocilla*," with 1,400 slaves on board, from Congo, on the night of the 16th October, 1862, was most unfortunate, and shows the necessity of two cruizers being stationed off this river. This vessel had been most narrowly watched, and was considered to be a safe prize, but, under cover of a dark night, she came down the river with the current, having her sails furled, and keeping well over to the Banana shore. Five days after this escape the "*Mondego*" performed the same feat with 500 slaves on board in a similar manner.

A most suspicious vessel passed up the Congo in December last, under convoy of the Portuguese schooner of war "Juno." In her hold were 100 large casks and a quantity of salt fish, and she was fitted with a capacious main deck, capable of holding at least 700 slaves; but whether she effected her escape with any could never be ascertained.

The boarding of the Dutch barque "*Jane*," in October 1862, by the "Zebra," proved the necessity of each cruizer being provided with the "special order" to act under the "Netherlands Treaty."

The Commander of the "Espoir" was, however, fortunate in being able to take possession of her.

17. When I landed at Loango in the early part of June last, I came in contact with Captain Bowen, an American, who formerly commanded the "Nightingale," and was taken in the "*Mariquita*," a prize to the "Zebra," and sent to St. Helena, from which place he had just returned, and was living in the house of M. Parrat, the chief agent on this coast for the French Government emigration scheme.

I found him a most shrewd and intelligent person, very gentlemanly, and with a perfect knowledge of everybody and everything connected with this part of the coast and the Slave Trade.

In my conversations with him on different subjects he was frank and open, and I did not discover until I met with Captain Hoskins afterwards that he was the celebrated Captain Bowen of Slave Trade notoriety.

His health seems to be breaking up; and I shall certainly watch his movements with a view to his capture on some future day.

18. The banks on both sides of the Congo, as far as Punta da Lenha, have factories established entirely for the Slave Trade. The northern or right bank affords great facility for vessels of large draught taking in their cargoes. The factories on the south bank are solely for the purpose of receiving slaves and transporting them from thence to Mangue Grande, Ambrizette, &c.

At Embomma, or, as it is now called, Boma, the factories are, with three exceptions, deserted, and those that are open labour under greater difficulties than their fellow-dealers at Punta da Lenha. Slaves at Boma, which is only thirty-six miles higher up, are now to be purchased for half the price given for them in September 1860. This will give some idea how plentiful they are, and the eagerness of the dealers for their shipment.

19. To the south of the Congo at Mangue Grande, and a few other places, the barracoons are reported to be always full. No capture has been made, nor have shipments taken place from these localities during the past nine months.

A barque was captured by the "Zebra" on the 3rd October, 1862, off Mangue Grande, fitted for the Slave Trade, and doubtless would have taken in her cargo.

The coast from this place, even to Ambriz, now belonging to Portugal, requires incessant watching, and the shipment made by the "*Haydee*" in August last, afterwards captured by the "Espoir" with 583 slaves on board, shows that, although no shipments have been reported for some time past, still the agents at Ambrizette are always ready, in conjunction with others at St. Paul de Loanda, to ship slaves by every opportunity.

I am informed that an Englishman, James Stewart, residing at Ambrizette, is principally engaged in the Slave Trade, and participates in all shipments made there, and at other places in the neighbourhood of the Congo. I shall make very searching inquiries into the truth of this statement, and act accordingly.

20. To the south of Ambriz the territory entirely belongs to Portugal, and the authorities are bound by Treaty to suppress the Slave Trade, but I am afraid that this is not carried out to the extent that Great Britain has a right to expect from them.

In September 1862, a Spanish vessel shipped a cargo at Cape Martha, which has been admitted by the Governor of Benguela, who stated that he had sent the only Government vessel at his disposal, a Kabenda boat, with a few soldiers, to endeavour to intercept her.

The Slave Trade has, I am informed, been renewed at Equimina, but this is only temporary, in consequence of the failure of the copper mines at Cuio.

It is reported, on reliable information, that three small vessels escaped from this place at the beginning of the year, and that the slaves on board them were intended to form the cargo of the "*Island Queen*," captured by the "Wrangler" in December 1862, when on her way to St. Helena.

The only capture made by the Portuguese was that of a launch off Novo Redondo, with 75 slaves on board.

The senior officer of this division has repeatedly detached a cruizer to this part of the station, but it would require the strength of the squadron under his command to be doubled in order to maintain an efficient blockade. I have desired him to call the attention of the Governor-General of Angola to these shipments being made in the Portuguese territory under his authority, and I have every reason to hope, from the high character this functionary bears, that these practices, so utterly opposed to the spirit and principle of our respective Treaties for the abolition of the Slave Trade, will be put a stop to for the future, and a severe example made of those concerned in them.

21. I would call your attention to the great decrease in the number of "suspected vessels," which can only be attributed to the present unsettled state of affairs in America; but when peace is restored and no alteration made in the laws affecting the slave-holding States of that country, it is highly probable that the Slave Trade will be renewed again with increased vigour, which will make an addition to our squadron absolutely necessary.

The difficulties experienced by American vessels running a cargo are very great; first, they have to evade the British cruizers on the coast; and secondly, the privateers and ships of war of their own nation are constantly prowling about Cuba and the adjacent islands in such numbers as makes it difficult to escape detention.

22. Since the signing of the last Treaty with the United States, which gives to England the right of search, slave-dealers have turned their attention to a different method of gaining their object. Vessels now come out with legal papers and documents, and carrying goods suitable for slave-dealing purposes, they wait for a favourable opportunity of getting off clear with a cargo of slaves.

The total abolition of the French emigration system has had a most beneficial effect. The factories and buildings, &c., belonging to them are now advertized for sale, and I think that the one lately in their possession at Banana Point would be of the greatest importance to us, and materially influence the success of our efforts in the Congo.

Slaves are sent across in small boats from Cape Lopez to Prince's Island, which has only lately come to my knowledge, and I have sent up a cruizer to this locality.

The system of sending over "domestic slaves" to St. Thomas from Angola is still continued for the purpose of agricultural and other labour at that island. It was reported that these slaves were kept in a depôt there ready for transhipment to the Havana by a favourable opportunity; and in consequence of this report I sent a cruizer purposely over there to make most particular inquiries into the subject.

I am happy to say that this report is without foundation, and that the natives so sent over are entirely for domestic purposes. The Governor-General of Angola is also perfectly satisfied that this is the case.

I have directed the Senior Officer of this Division to send a vessel occasionally to cruize between and around Annabon, St. Thomas', and Princes' Islands, as empty slavers are known to make these islands, especially Annabon, a rendezvous for obtaining water and laying the slave-deck.

I think the establishment of a Consular Agent at St. Thomas would be very beneficial, and prove a check upon any slave-trading transactions that may be secretly carried on, and which may hereafter occur.

23. The line of Portuguese mail-steamers from Lisbon to St. Paul de Loanda, calling at St. Thomas', must be of great advantage to the slave-dealers on this coast. They are able to communicate frequently and quickly with their agents,

and, more important still, they can receive by this means the money for the purchase of slaves, from Europe as well as the Havana, instead of risking it in the vessels intended to ship the cargo.

It will be well to bring this subject before the notice of the Portuguese Government.

Small vessels of about thirty tons are fallen in with to the north of the Congo under Portuguese colours. They are from St. Thomas', cleared for St. Paul's de Loanda, and their cargo consists of farinha, rice, salt fish, and staves, which cannot but create a very strong suspicion in the minds of the Commanders of our cruizers that they are more or less engaged in illegal practices.

It is well-known that the articles above-mentioned are produced much cheaper at St. Paul's de Loanda than at St. Thomas'.

I must not omit to mention that the French brig "*Léopard*," sent to Sierra Leone for adjudication by Captain Hoskins, of the "Zebra," in February last, was turned over to a slave-dealer at St. Paul's de Loanda two days after her arrival at that place.

24. *Legal Trade.*—The trade in palm and ground-nut oil is increasing; copper ore and ivory are also obtained from many places on this coast. Regular traders are employed in collecting these articles.

The copper mines of Bembé are said to be yielding excellent ore, which is worth 40*l.* a ton.

The valuable dye called orchilla is not so plentiful as formerly.

The trade at St. Paul's de Loanda seems to be very brisk, and large quantities of beeswax, hides, and coffee of good quality, though not equal to that grown at St. Thomas', are being constantly exported.

At Loango there is an English house belonging to Messrs. Hatton and Cookson of Liverpool, in charge of Mr. Hannah, long resident on this coast, and who has also a factory at Kinsembo; he deals largely in ivory tusks, copper ore, and gum, and ships annually large quantities to England. M. Parrat had also a factory of considerable size at Loango, in which many hundreds of slaves, or rather immigrants, could be housed. As this factory has been given up, the English house alone remains at present.

To the north of Loango a considerable trade in ebony is carried on, but I doubt much if there is any legal trade of importance in these parts.

In the Congo the only person that carries on a regular trade is Mr. Elkman, a Dutch merchant, residing at Banana, and he sends 800 tons of palm-oil annually to Rotterdam. His vessels lay alongside his factory, which is a great convenience for shipping.

I do not think the English house at Punta de Lenha pays even its own expenses.

I should not be doing justice to Mr. Elkman, at Banana, were I to omit mentioning the great kindness and attention exhibited by him on all occasions to our cruizers during their visits to the Congo; he is a legal trader and nothing else, his interests being closely interwoven with the abolition of the Slave Trade, and his greatest wish is for a British settlement to be formed at Banana in conjunction with his own for the sole object of introducing legitimate trade into the river.

The European settlers between the Congo and Ambriz are very diffident and reserved in giving information relative to the produce of the country.

Kinsembo, which has only been established since Ambriz was unfortunately given up to the Portuguese, contains English, American, and Dutch factories, all of which are doing a good trade in ivory, gum, and copper ore. Excellent coffee is also produced here, which, though the berry is small, is of exceedingly good flavour.

Very capital beef can be procured at this place of a fair average price, and vegetables can be easily grown.

There is no doubt that the trade will increase at Kinsembo, and that more factories will soon be established.

At St. Paul's de Loanda very good beef, mutton, and poultry are to be obtained at a reasonable price, with vegetables of all kinds, as well as fish in great abundance.

Cassada and the ground nut form still, however, the principal articles of growth and consumption, but the yam is not largely or successfully cultivated.

At Mossamedes, or Little Fish Bay, beef and vegetables are of superior quality; potatoes are excellent, but poultry is not cheap. The Governor of this

Settlement is most favourably disposed towards friendship with our officers, and the suppression of the Slave Trade.

In consequence of our cruizers being able to distil their own water, Prince's Island is rarely visited by them, although formerly it was constantly resorted to for the purpose of completing water.

There is scarcely any trade at Fernando Po, nor is it of any use whatever to our squadron under present circumstances; there are no fresh provisions of any kind, and the "Vindictive" might be far more profitably employed at Jellah Coffee.

General Observations.

25. In bringing this Report to a close I would beg to offer a few observations.

It will be a source of congratulation to their Lordships and the country that the Slave Trade during the last twelve months has been considerably on the decline, the cause of which I have endeavoured, though perhaps imperfectly, to explain in my previous remarks.

The war now existing between the Northern and Southern States of America has, doubtless, very materially assisted the efforts of our cruizers, and intimidated the old and long-established agents of the slave-dealers on this coast from risking their money and their ships in such an uncertain speculation.

The will for entering into these nefarious proceedings is still the same, and the demands from Cuba reach these shores with great and increasing urgency.

The greatest blow to the Slave Trade in this country will be the continuation of war between the States of America, but I will also add that if the Kings and Chiefs can be brought to recognize the benefits of the legitimate trade as compared with the uncertain profits arising from the sale of their fellow-creatures, they will in a great measure facilitate the accomplishment of this desirable end, and do more for the real benefit of their country than can be effectually carried out by a hundred cruizers, unless these cruizers establish a close and rigid blockade, in spite of the flags of different nations.

There is no doubt that we can coerce the Kings and Chiefs of Africa into giving up the Slave Trade, and that the power of these Chiefs to continue it has been very much magnified.

I am quite certain that one year's blockade would force the King of Dahomey to listen to our terms.

Whenever this potentate is put down all minor Chiefs will follow his example.

My Report upon the state of the Dahomian country will have fully explained all the difficulties on this head.

The Kings and Chiefs of Africa keep up their position, dignity, and power entirely by the imports from the white man's country.

They cannot do without cloths from Manchester, iron, rum, tobacco, and silks from England, with powder and arms from the same place, also gold and silver ornaments of every description, which makes them so dependent upon the ships that come from across the sea, that if these articles of trade and usefulness were stopped the whole influence possessed by these native Governments would be upset and their very existence jeopardized.

It is from this knowledge and from these considerations that I unhesitatingly affirm the certain destruction of these Governments whenever a well-devised pressure is put upon their actions.

The people live almost entirely and are kept together by what they receive from their Kings during their annual customs. Stop this, and the result will be a looking to themselves for their every day subsistence and the cultivation of the soil for the common necessaries of life.

Cuba well guarded, and the Governor-General determined to do his duty, will also be a principal cause of the abolition of the Slave Trade.

26. Portugal must also be sincere in her efforts to put down the Slave Trade on this coast. There is no doubt that slaves have been shipped from their possessions south of St. Paul's de Loanda, whether with the knowledge of the Government officials I will not pretend to say.

I believe Brazil to be perfectly honest with regard to the abolition of the Slave Trade, as far as the Government of that country is concerned, and although vessels carrying the Brazilian flag have again appeared in the Bights, I do not think they have gone there for illegal purposes. Unless we come to some understanding with

France, I am afraid that the French flag will be often used as a protection from the right of search, and that we shall have great difficulty in doing our duty and carrying out our instructions so long as this subterfuge is permitted.

I have mentioned that slaves are shipped from Elmina by the Dutch authorities and sent over to their colonies in Java; these are brought from the King of Ashantee, who has always a large number ready. It is reported that these slaves are shipped in Government vessels, but I will not vouch for the truth of this; I have never met a Dutch ship of war on this coast.

27. There are no American ships of war of any kind out here, and the Spaniards have only a schooner gun-boat at Fernando Po.

The French Rear-Admiral, Laffon de Ladebat, has his flag flying in the "Armorique," screw frigate, and his head-quarters are at the Gaboon. There are only two or three small paddle-wheel vessels under his command; the steamers at Senegal, ten in number, all paddle-wheel and mostly built of iron, being entirely colonial, and over which he has no control whatever.

They are commanded by a Capitaine de frégate who resides at St. Louis.

I hear that Spain intends to send out a Commodore to this station.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 176.

RETURN of Slavers Captured on the West Coast of Africa, of which information has been received between October 23, 1862, and December 31, 1863.

Date of Sailing from last Port.	The Vessel's						Intended		Captured.			Remarks.
	Name.	Nation.	Rig.	Tonnage.	Owners.	Cargo.	Place of her Shipment.	Number of Slaves.	By what Ship.	Date.	Place.	
Unknown	Britannia	Unknown	Schooner	Unknown	— Meecham	Planks, 1,040 ft.	Unknown	...	Espoir	1863 Sept. 19	Cabenda	Had a certificate of registry in the name of the "Mary and Isabel," but "Britannia" was painted on her stern. Destroyed by Her Majesty's ship "Espoir." Length 70 ft., breadth 18 ft., depth 12 ft.
Ditto	Unknown	Ditto	Barque	Ditto	Unknown	Rice, and slave equipments	Ditto	Unknown	Zebra	Oct. 3	At sea, lat. 6° 48′ S., long. 12° 30′ E.	Spanish colours were shown for a short time while "Zebra" was approaching, but were hauled down before the vessel was taken. All papers were destroyed, and the captain declined giving any information.
Oct. 9, 1863	Jane	Dutch	Ditto	290	M. B. Gizsira	Ballast	Ditto	Ditto	Espoir	„ 15	Point Padron	This vessel was detained on October 10, 1863, by the "Zebra," for five days, but Commander Hoskins having no "special authority" from the Netherlands he turned her over to the "Espoir," who sent the vessel to Sierra Leone for adjudication. Her papers were apparently correct, but she had no bond as required by the Government of the Netherlands; neither Custom-house clearance or manifest.
Oct. 20, 1863	E	Portuguese	Cabenda boat	13	Martino Barbosa, of St. Paul de Loanda	Ground nuts; 5 negroes	Ditto	Ditto	Ditto	Nov. 2	Mangue Grande.	
Unknown	Unknown	Unknown	Ditto	Unknown	Unknown	81 slaves	Ditto	90	Zebra	„ 20	River Congo	This boat contained 90 slaves, 9 of whom jumped overboard from fright and were drowned; the remainder, consisting of 9 men, 8 women, 45 boys, and 19 girls, were sent to St. Helena, in the "Liberdad." These slaves were part of her cargo.
Ditto	Liberdad	Ditto	Brigantine	200	Ditto	Slave provisions	River Congo	700	Ditto	„ 20	Ditto.	
Aug. 21, 1863 Cadiz	Lola Montes	Ditto	Ditto	130	Ditto	Water, rice, and cavances	Londano	Unknown	Antelope	„ 25	Cabenda.	
Uncertain	Island Queen	Ditto	Ship	460	Spanish	Slave provisions	Unknown	1,300	Wrangler	Dec. 28	Lat. 14° 37′ S., long. 9° 19′ E.	No papers or colours. On her stern was imperfectly painted "Josephine;" her proper name was the "Island Queen," of Washington.
Jan. 27, 1863 River Congo	Unknown, supposed to be the "Bella Augustina"	Ditto	Schooner	165	Unknown	368 slaves:—89 men, 118 women, 79 boys, 88 girls	...	...	Brisk	1863 Feb. 9	Off Annobon	Shipped in the Congo, and was proceeding to Annobon for water. Vessel crowded and slaves much reduced by neglect and want of food.
Unknown	Laura	Portuguese	Brigantine	140	Havana	Rum, &c.	Unknown	Unknown	Zebra	„ 10	Punta da Lenha, River Congo	Condemned in Mixed Commission Court at St. Paul de Loanda.
Ditto	Marsquita	American	Fore-and-aft schooner	153	Unknown	471 slaves	Shipped in the Congo	471	Ditto	Mar. 17	Lat. 6° 8′ S., long. 12° 11′ E.	Slaves and vessel in good condition. Captain Bowen (late "Nightingale") in command. The "Zebra" had been watching the "Marsquita" for some time in the Congo. She dropped down during the night, and would have escaped had there been any wind.
Aug. 11, 1863	Unknown, supposed to be the "Haydee"	Unknown	Brig	200	Monteiro, of St. Paul de Loanda	583 slaves:—365 men, 101 women, 117 boys	Shipped at Massena, ten miles north of Kinsembo	583	Espoir	Aug. 12	Lat. 7° 34′ S., twenty miles off the land	This vessel is stated by the captain to have fitted out at Cadiz. She had only been a few hours on the coast. The slaves on board belonged to the following individuals:—Monteiro, Portuguese, of Ambrizette and St. Paul de Loanda, the principal owner; Somolanzie, Portuguese, and Luiz and Lobiano, of Ambrizette; Weekes and Smith, Americans, of Ambrizette. Slave-deck was only 5 ft. 6 in. high, 17 ft. broad, and 38 ft. long. 111 boys were taken on board the "Espoir." The vessel was taken to St. Helena. 6 slaves were lost on the passage, and 577 were emancipated. The captain states he made a successful voyage in October 1862.

December 31, 1863.

(Signed) A. P. EARDLEY WILMOT, *Commander and Senior Officer, West Coast of Africa.*

Inclosure 2 in No. 176.

RETURN of Vessels which are said to have Escaped with Slaves on board, from the West Coast of Africa Station, between October 23, 1862, and December 31, 1863.

Date of Sailing from last Port.	The Vessel's						Place of Shipment.		Date of Shipment.	Remarks.
	Name.	Nation.	Rig.	Tons.	Owner.	Cargo.	Name.	Division.		
Aug 2, 1862	Orilla	American ...	Barque ...	500	Unknown	1,400 slaves	River Congo	South ..	Oct. 16, 1862	Escaped in the night.
Unknown ...	Mondego	Portuguese ...	Schooner ...	100	Ditto ...	500 „	Ditto ...	Ditto ..	„ 21, „	
Ditto ...	Supposed to be Elizabeth	Supposed to be American	Screw steam barque	Unknown	Ditto ...	1,000 „	Aghwey ...	Bights ...	„ 20, „	
Ditto ...	Unknown	Unknown ...	Brig or barque	Ditto ...	Ditto ...	800 „	Longebonda	South ...	March 1863	Reported by Captain Hoskins, of the "Zebra," who states that the slaves were driven over from the Congo.
Ditto ...	Supposed to be City of Norwich	Ditto	Screw steam barque	Ditto ...	Ditto ...	960 „	Godomey ...	Bights ...	Oct. 10, 1863	

December 31, 1863.

(Signed) A. P. EARDLEY WILMOT,
Commodore and Senior Officer, West Coast of Africa Station.

No. 177.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," Cape Coast Castle, April* 5, 1864.

WITH reference to my letter of the 20th January last, forwarding a duplicate of my letter to the Commander-in-chief of the same date, with its inclosure, relative to an alleged outrage said to have been committed on the barque "Dahomey" by kroomen of Grand Niffon, and which I had represented to the President of the Liberian Republic, I beg to submit a copy of his Excellency's reply thereto.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 177.

Mr. Blyden to Commodore Wilmot.

Sir, *Department of State, Monrovia, February* 5, 1864.

I AM directed by the President to acknowledge the receipt of your despatch, dated Cape Coast Castle, 11th December, 1863, relative to a cargo-boat said to have been stolen from the English barque "Dahomey," by kroomen at Grand Niffon on the 26th July, 1863.

I am to convey to you the expressions of the President's sincere regret at the very reprehensible circumstances under which, according to Mr. Croft's statements, the "Dahomey's" boat was seized, and to say that the President, upon full investigation of all the facts connected with the case, finds that there can be no claim for indemnity for the seizure of the boat which this Government would feel itself bound to satisfy.

This Department has learned from James Mc Harriott, Esq., of Liverpool, connected with the well-known firm of Hatton and Cookson, of that city, who visited Niffon soon after the "Dahomey" left there, that Mr. Croft refused to pay the kroomen for services rendered him, and that he was quite willing to let them have the boat for what he owed them.

Mr. Harriott, as a British subject, asked for the boat, and recovered it. It is at present in his possession, with the barque "Fairy Queen," now on the coast, of which he is supercargo. Mr. Croft's own conduct, as Mr. Harriott alleges, is the sole cause of his troubles with the natives.

I am further directed by the President to say that, even should Mr. Harriott's statement not prove correct, the act of Mr. Supercargo Crofts in going to Niffon, and anchoring there for the purpose of transacting business without entering his vessel at the regular ports of entry, one of which was but a few miles above Niffon, was a clear violation of the laws of Liberia, and derogatory to the character of one of Her Majesty's subjects, who, being a frequent trader to this coast, ought to have known of the existence of ports of entry in Liberia, and not have allowed himself to perpetrate an offence to the sovereignty and dignity of the Republic by violating its laws regulating commerce and revenue.

In view of these considerations, the President cannot admit the claim of Mr. Croft to indemnity from this Government. It is a principle of international law that no Government can be responsible for any damages that foreigners may sustain who enter its territory without the knowledge of the authorities, and for the purpose of prosecuting enterprises in contravention of the laws of the country.

The President desires me to avail myself of this occasion to request you to urge upon Her Majesty's Government, in view of difficulties frequently arising between British subjects and the aborigines, the necessity of re-appointing as soon as possible a Consul at Monrovia, to represent British interests in Liberia.

I have, &c.
(Signed) EDWD. M. BLYDEN, *Secretary of State.*

No. 178.

Commander Perry to the Secretary to the Admiralty.

Sir, "*Griffon*," *at Ambrizette, February* 8, 1864.

I HAVE the honour to inform you that at daylight on the morning of the 8th February, Her Majesty's ship under my command being at anchor off Ambrizette, a brigantine was observed standing in for the land to the northward. I immediately weighed, and chased under steam and sail.

At 11·30 A.M. I came up with, boarded, and detained chase, which proved to be a brigantine of about 200 tons, without name, papers, or colours, and fully equipped for the Slave Trade.

I therefore dispatched her, under the charge of Lieutenant Acklom, of this ship, to St. Helena for adjudication.

I have reason to believe the detained brigantine to be the "*Venus*," which vessel was detained and taken to Loanda by Her Majesty's ship "Antelope" in February 1863, but was then liberated by decision of the Mixed Commission Court.

I believe that on this last voyage she cleared out from Cadiz in November last, and was to have shipped her slaves at Bahia Fonta.

The capture was not effected in consequence of any information finished from the Foreign Office.

I have, &c.
(Signed) J. L. PERRY.

No. 179.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) "*Rattlesnake*," *Cape Coast Castle, April* 4, 1864.

AN English brig, the "Black Prince," on her way from Sierra Leone, from whence she sailed on the 11th March, reports having seen two suspicious-looking steamers hovering off Cape Palmas and Cape Three Points.

I shall, therefore, leave to morrow morning for the Bights to give information on this subject, and watch their movements.

The troops, with the exception of about 200, to guard the provisions, &c., are to be withdrawn from the neighbourhood of the Peak until the reinforcements arrive, and the rains are over. The men are in good health, but the officers are very sickly.

The "Tamar" has been long expected, and the reinforcements she brings might probably have accelerated the movements of the troops across the Peak.

No. 180.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Ascension, May* 1, 1864.

WITH reference to their Lordships' letter of the 28th October, 1863, I have the honour to inclose Commander Wildman's Report on the two black girls given by the King of Dahomey to the Queen of England during my visit to Abomey in January of last year.

There is evidently a mistake in the ages of these girls. I should say one is eighteen, and the other fifteen or sixteen years, but for all purposes of education I am afraid they are too old.

When brought from Abomey by me they were pretty, lively, and intelligent, but nearly eighteen month has since passed away, which, doubtless, has made a great difference in their habits.

As the Rev. P. W. Bernasko has the charge of these girls, and provides their clothing and food, I have to request their Lordships' directions as to how they are to be disposed of.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 180.

Commander Wildman to Commodore Wilmot.

Sir, "*Pholomel*," *Whydah, February* 26, 1864.

IN obedience to your Memorandum, dated 19th December, 1863, directing me to ascertain the character of the two black girls presented to Her Majesty by the King of Dahomey, and also the progress they have made, &c., I have the honour to report that the ages of these girls, one being about twenty years, and the other about eighteen years, also their habits, make it very undesirable that they should be sent to England for the purposes of education.

Commander Ruxton, Her Majesty's ship "Pandora" (who has seen them), and the Rev. P. W. Bernasko (in whose care they are), agree with me in this opinion.

I have, &c.
(Signed) LEVESON WILDMAN.

No. 181.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *off Lagos, April* 21, 1864.

HEARING that two suspicious-looking steamers had been seen off Cape Palmas and Cape Three Points, at the end of last month, I left Cape Coast Castle on the 5th instant, and anchored for a few hours at Accra the following day. Coasting along under sail and steam, according to circumstances, I anchored at Jellah Coffee on the evening of the 7th. "Pandora" arrived at the same time from her cruizing-ground in the neighbourhood.

2. I anchored off Porto Seguro on the evening of the 10th, and the next morning arrived at Little Popoe, where the "Philomel" was at anchor. Commander Wildman has been very active in settling the disputes between this place and Aghwey, according to my directions, and I am happy to say that a friendly Treaty has been made, which I hope will prevent disturbances for the future.

3. I left Little Popoe on the 16th, and communicated with the "Investigator" off Aghwey, and "Speedwell" a few miles to the westward of Great Popoe. I anchored at Whydah on the morning of the 17th. "Zebra" was in the roads.

4. I was informed by the Rev. P. W. Bernasko, Wesleyan missionary at Whydah, that the King of Dahomey has been defeated by the Abbeokutans while attempting to enter their town, and that his loss has been very severe in men and women. The King was pursued for three days and nights and nearly captured, his horse being taken. I cannot find out the exact number slain—some say 5,000, but I should think 1,000 nearer the truth, and that they are mostly amazons.

5. The Abbeokutans have not suffered so much, although the battle was a long one.

6. Report says the King is much cast down, but again preparing for war.

7. There were eight merchant-vessels at anchor off Whydah waiting for cargoes. Domingo Martinez, the once celebrated slave-dealer, died about a month ago, leaving a large fortune, all of which goes to the King.

8. Leaving this port on the morning of the 19th, I anchored off Jackin the same forenoon. The "Antelope" is stationed here. There is a good trade in palm oil. Godomey is two miles inland to the westward. I have written to the head men of this place, calling upon them to give up the Slave Trade. It is reported that slaves are collecting here for another shipment by steamer.

9. When the "Jaseur" and "Sparrow" arrive in the Bights the squadron will be very strong, and I trust the escape of the steamers may be prevented.

10. There are large slave barracoons at Appi, which can be easily destroyed.

11. I left Jackin on the morning of the 20th, and passing Porto Novo, off which there is a small French steamer of war, and Badagry, where there are several merchant-vessels, I anchored at Lagos on the afternoon of the 21st. After receiving the mails from England, I leave immediately for Ascension.

12. There is only one small schooner at Lagos.

13. The "Lee," tender to this ship, touched the ground at the mouth of the River Nazareth on the 19th ultimo, but without sustaining any damage.

14. I am leaving this part of the coast earlier than I intended, in consequence of hearing that Captains Barnard and Bythesea, with several officers, have invalided and gone home.

15. While writing this despatch the "Jaseur" has arrived from Fernando Po,

after completing her service in the oil rivers. I will endeavour, if possible, to forward Commander Grubbe's Report of his proceedings by this mail.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 182.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir, *"Narcissus," Simon's Bay, April* 19, 1864.

I HAVE the honour to forward, for their Lordships' favourable consideration, the copy of a letter transmitted to me by Captain Alan Gardner, of the "Orestes," respecting the settlement of a claim made by the Portuguese authorities at Mozambique for the destruction of a small schooner by Lieutenant J. Houghton of that ship, on suspicion of being engaged in the Slave Trade.

2. On receiving Captain Gardner's Report of Lieutenant Houghton's proceedings in this matter (as contained in his letters of the 30th May and 9th July, 1863) annexed, I ordered a Court of Inquiry to be assembled to investigate that officer's conduct, directing reparation to be made to the Portuguese if it should appear that he had acted unjustifiably.

3. Lieutenant Houghton became aware that he had made a mistake, and in the meanwhile took steps to settle the matter privately by the payment of 90*l.*, which Captain Gardner allowed him to do.

4. From the favourable opinion expressed by Captain Gardner of Lieutenant Houghton's zeal and conduct as an officer, there appears to be no doubt that his action in this instance was an error in judgment, arising from inexperience of the peculiar precautions necessary to be observed in carrying out the stipulations of the Slave Trade Treaties; and as it was the first occasion upon which he had proceeded upon detached service for the suppression of that nefarious Traffic, I trust their Lordships may be pleased to take into consideration the heavy pecuniary losss he has sustained, and, allowing for the great anxiety which his error must have given him, grant that he may be reimbursed the same.

I have, &c.

(Signed) B. W. WALKER.

Inclosure 1 in No. 182.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir, *"Orestes," at Sea, Lat.* 13° *N., Long.* 43 *E., May* 30, 1863.

I INCLOSE herewith a copy of a letter from Mr. John Houghton, Second Lieutenant of this ship, reporting the destruction of a vessel by fire, in Fernan Veloso Bay, on the 28th instant.

I much regret to inform you that this act of Lieutenant Houghton's is entirely unjustifiable, and I fear will lead to very grave accusations against us on the part of the Portuguese Government, and to the discredit of the service on which we are engaged.

Upon questioning Lieutenant Houghton it appears the vessel he has destroyed in a port belonging to the Portuguese was about 50 feet long, partly decked, with three masts and with gaff-sails. I doubt very much whether the piece of iron found on board was a slave-iron. The vessel had only two casks of water, and some eight bags of rice in her. She had been recently run on shore. No efforts seem to have been made to get her afloat, in order to bring her to me at Pomba Bay, fifty miles to leeward, where I was to meet the boats.

Lieutenant Houghton was provided with the fullest general instructions, which have been most carefully drawn out; and in my sailing orders to him he was instructed to be very careful in dealing with vessels under the Portuguese flag. Should he make a capture to bring her to me at the rendezvous; and I tell him that in no case will it be advisable to destroy a vessel under Portuguese colours.

It is evident to me that the vessel so destroyed was a small coasting-vessel, probably, from her rig, belonging to the Portuguese; but, possibly, of Bainan owners.

After receiving this report from Lieutenant Houghton, I told him my opinion of his act. I did not consider it necessary to supersede him from the command of the boats; but I hope the opinion I have expressed will prevent a similar occurence, and I reserve to myself the right of demanding an inquiry into this officer's conduct.

I have, &c.

(Signed) A. H. GARDNER.

Inclosure 2 in No. 182.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir, "*Orestes*," *at Lamataoe, July* 9, 1863.

I REPORTED to you, in a letter dated the 30th May, the burning of a schooner by Lieutenant Houghton, on the 28th of the same month, in Fernan Veloso Bay, in the Portuguese dominions.

I now inclose a copy of a letter from Lieutenant Houghton, containing a more detailed account of the transaction, and I regret to be still of opinion that the evidence against this vessel was not sufficient to send her into Court for adjudication, much less for destroying her—an act in which Lieutenant Houghton was in no way justified by my instructions.

I have, &c.
(Signed) A. H. GARDNER.

Inclosure 3 in No. 182.

Lieutenant Houghton to Captain Gardner.

Sir, "*Orestes*," *June* 25, 1863.

I BEG to forward to you a Report of my proceedings on the morning of the 29th May last, when in charge of the launch and cutter in Fernan Veloso Bay.

Shortly after daylight, observing three vessels on the beach on the opposite side of the Bay, I proceeded to examine them. On nearing them my suspicion was raised by seeing two of the vessels only hoist colours. On examination I found them to be open boats, cutter-rigged, with nothing on board. On searching the larger one—a three-masted schooner—I found her deserted, without colours, and what I considered proofs of being engaged in the Slave Trade, viz., a slave-iron, about a dozen bags of rice, two large casks of water, which I considered more than sufficient for her crew, and matting laid along the bottom for the reception of slaves; also, two large iron vessels for boiling rice; this vessel had her sails bent, gaffs lowered, and a small poop abaft, for the accommodation of three or four people. I observed there was no flag flying on shore, and no signs of there being any Portuguese authorities. The vessel was high and dry on the beach, and considering it impossible to get her off with the means at my command, I destroyed her by fire, having previously taken her measurements.

I am of opinion that this vessel was waiting for the embarkation of slaves, probably for the Islands of Comoro or Mayotta.

I am sorry to report the loss of the slave-iron, which was put in the launch, but lost overboard a few days afterwards.

I beg to inclose the following measurements:—length from stem to stern, inside each, 54 feet; extreme breadth, 16 feet 6 inches; girt inside, from level of deck on one side, to opposite side on the same level, 30 feet.

I have, &c.
(Signed) JOHN HOUGHTON.

Inclosure 4 in No. 182.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir, "*Orestes*," *Mozambique, January* 28, 1864.

WITH reference to your orders of the 20th of November, 1863, directing me to cause a Court of Inquiry to assemble for the purpose of investigating the conduct of Lieutenant Houghton in burning a vessel in Fernan Veloso Bay on the 28th of May, 1863;

I beg to inform you that before the vessels were assembled, officers of which were to form the Court, the cause of complaint had been removed by Lieutenant Houghton paying the owner of the vessel destroyed the sum claimed by him in compensation, by his expressing to the Governor-General of Mozambique his sorrow for the mistake he had made, and by his addressing me a letter, in which he acknowledges his error on the points on which it was my intention to direct the Court to inquire into.

I therefore consider that the assembling of the Court will be no longer necessary.

I inclose Lieutenant Houghton's letter to me admitting his error; a copy of the receipt by the owners of the vessel for the indemnity; and a letter from the Governor-General of Mozambique showing that he is fully satisfied.

I am happy to think that this affair is brought to a close without its going into a court of law at the Cape, which would probably have very much increased the damages, and given a great deal of trouble.

Lieutenant Houghton having admitted his error, and done everything in his power to repair the effects of it, I think I may be justified in pleading in his favour his inexperience, this having been the first occasion of his being detached on boat service. He is a hard-working, zealous, and well-conducted officer; and considering the circumstances of the case and difficulties of the peculiar service on which we are engaged, I venture to hope the Lords Commissioners of the Admiralty may be induced to defray the amount paid in compensation, viz., 90*l.* sterling, or a part thereof.

I have, &c.
(Signed) A. H. GARDNER.

Inclosure 5 in No. 182.

Lieutenant Houghton to Captain Gardner.

Sir, "*Orestes*," *Mozambique, January* 27, 1864.

WITH reference to the burning by me of a small fore-and-aft schooner in Fernan Veloso Bay on the 28th of May, 1863, I confess to an error of judgment in considering that this vessel showed undoubtable evidence of

being engaged in the Slave Trade, and that the instructions from you under which I was acting did not justify me in any way in destroying the vessel.

Upon hearing that a complaint had been made to the Portuguese authorities at Mozambique by the owner, I made arrangements for satisfying his claims, which, with the kind assistance of Senhor Soares, I have this day done, and have obtained a receipt in full for the value, amounting to the sum of 90*l.* sterling. I have waited on the Governor-General, and expressed to him my sorrow for the mistake I made, and have received his assurance of his being perfectly satisfied, and he has promised me to address a letter to Admiral Sir B. Walker to that effect, and also to his own Government.

I have, &c.
(Signed) JOHN HOUGHTON.

Inclosure 6 in No. 182.

Declaration of Amad Gulamo.

I, AMAD GULAMO, do hereby declare that I give up all claim on account of the schooner "Estrella do Mar," called "o batel Portuguez 'Flor do Mar,'" in his representation made by his Excellency the Governor-General of Mozambique to his Excellency Sir B. Walker, Commander-in-chief on the Cape Station, having received from Lieutenant Houghton, R. N., Her Majesty's ship "Orestes," the sum of 90*l.* sterling, as compensation for the destruction of the said schooner.

Given under my hand in Mozambique this 26th of January, 1864.

(Signature of Amad Gulamo.)

Witnesses:
(Signatures of Cheque Amuza and J. C Soares.)

Inclosure 7 in No. 182.

The Governor-General of the Province of Mozambique to Captain Gardner.

(Rough Translation.) *January* 27, 1864

TO satisfy your request to know whether, after the proceedings of Lieutenant J. Houghton, of the corvette "Orestes," under your command, with the reparation of the injury done to the Portuguese subject, Amadi Gulamo, by burning the batel "Estrella do Mar" in the port of Fernan Veloso, and with the satisfaction personally afforded to me by the said Lieutenant, it is my duty to assure you that on the first occasion that may offer, I will communicate not only to the Admiral of Her Britannic Majesty at the Cape of Good Hope all the proceedings that have taken place in the matter, requesting he will put a stop to any proceedings against the said officer in consideration of such full satisfaction, but also to the Government of His Most Faithful Majesty.

And notwithstanding that I cannot secure the result that may follow my communication, I shall be happy if it (the Portuguese Government) is equally satisfied.

(Here follow compliments, &c.)

No. 183.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Ascension*, *May* 1, 1864.

I HAVE the honour to acknowledge the receipt of their Lordships' letter to me of the 14th March, 1864, in which I am directed to send them further information on the above subject. It will be some time before I can possibly visit the Southern Division of the Station to make inquiries, but extracts from the Reports of the Senior Officers of that Division, as well as a copy of a letter received by Captain Bythesea from Her Majesty's Commissioner at St. Paul de Loanda, will, I think, satisfy their Lordships that my remonstrance was not made without just grounds for doing so.

2. Captain Bythesea, in his letter of the 14th January, 1864, says: "On arrival at Loanda on the 15th December, I learned by a letter from Little Fish Bay that seven cargoes of slaves had been shipped in the vicinity of Benguela during the past year."

3. Captain Hoskins, in his half-yearly Report on the Slave Trade to the 31st December, 1863, also says: "On the coast south of Loanda, particularly in the neighbourhood of Novo Redondo and Equimina, the Slave Trade has of late been revived, and I was informed by the Portuguese Governor of Little Fish Bay that six vessels had escaped during the past year."

4. The Commissioner's letter on the same subject is inclosed, and I feel quite certain that their Lordships, after reading these Reports, will not think I have

gone beyond the limits of my duty in endeavouring to check, for the future, these proceedings in the territory of the Portuguese on this coast.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 183.

Her Majesty's Commissioner to Captain Bythesea.

Sir, *Loanda, December* 31, 1863.

FROM information that has been communicated to me I have every reason to believe that, during the greater portion of this year, the Slave Trade has been in a great state of activity on the coast to the southward of this port.

There has lately been a cessation of that Traffic, in consequence of the dealers in Cuba having neglected to pay for the slaves that they have received, and also on account of the death of Senhor Ignacio, the notorious slave-trader at Equimina, but there can be little doubt that some person will soon replace him, and that the shipment of slaves will recommence with renewed vigour.

Should the service admit of it, I take the liberty of suggesting that a cruizer should immediately be sent to the South to cruize off the coast of the Province of Benguela, particularly between Novo Redondo and Cape Martha, and that for some time one should always be stationed on that part of the coast.

I am most anxious to visit personally the provinces to the Southward, for the purpose of seeking information on these matters, but I fear my duties will not permit my leaving before the beginning of April. I should be obliged if you would at that time place a vessel at my disposal for the purpose of conveying me to the places I am desirous of visiting.

I have, &c.

(Signed) W. VREDENBURG.

No. 184.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," Ascension, May* 1, 1864.

I HAVE the honour to inclose, for the information of their Lordships, the copy of a letter I have received from the Secretary of State of Liberia, in reply to mine of the 11th December, 1863, relative to a cargo-boat said to have been stolen from the English barque "Dahomey," by Kroomen, at Grand Niffon, on the 26th July last.

2. Their Lordships will see that the statement made to me by Mr. Croft, supercargo of the "Dahomey," is denied by the Government of Liberia, who say that the boat was voluntarily given up to the Kroomen for services rendered, and in payment for what he owed them. The Secretary of State also states that the boat has since been restored to Mr. Harriot, supercargo of the "Fairie Queen," now on the coast.

The President further directs him to say that, "even should Mr. Harriot's statement not prove correct, the act of Mr. Supercargo Croft in going to Niffon and anchoring there for the purpose of transacting business without entering his vessel at the regular ports of entry, one of which was but a few miles above Niffon, was a clear violation of the laws of Liberia, and derogatory to the character of one of Her Majesty's subjects, who, being a frequent trader to this coast, ought to have known of the existence of ports of entry in Liberia, and not have allowed himself to perpetrate an offence to the sovereignty and dignity of the Republic by violating its laws regulating commerce and revenue. The President, therefore, cannot admit the claim of Mr. Croft to indemnity from this Government." In conclusion, the President requests me to urge upon Her Majesty's Government the re-appointment of a Consul at Monrovia.

I cannot look upon the explanations given in this letter from the Secretary of State as at all conclusive of the point at issue; first, because I have since seen Captain Watts, who commands the "Dahomey," and he confirms, word for word, the statement made to me by Mr. Croft. There has been no made-up story between them. Captain Watts, who has been for ten years on this coast as master and mate of trading-vessels, is not aware of such places as "ports of entry." It has been, and is generally the custom to obtain Kroomen from that part of the Kroo coast which is first made; vessels come in and anchor, and Kroomen come off by hundreds.

I am not aware myself of any "ports of entry," and I do not think such ports are publicly known.

I can quite bear out Mr. Croft's statement as to the number of canoes and men

that would be likely to come off to the "Dahomey" when she made the land, and cause a great deal of annoyance, because in my passage up the coast under steam, at the end of last year, with topgallant-masts struck, about three miles off the land, and not going very fast, the "Rattlesnake" was chased by a large number of canoes full of men, who no doubt thought that we had come to this part of the coast for the purpose of obtaining Kroomen. I was obliged to stop more than once to avoid them.

In a small vessel like the "Dahomey," which had not the advantage of steam, and probably with only very light winds, it is not at all unlikely that the canoes would surround her, and forcibly obtain an entrance on board. There was no port of entry, that I am aware of, in the neighbourhood above alluded to.

5. Secondly, why was the boat given to Mr. Harriott if it had been voluntarily turned over to the Kroomen by Mr. Croft as part payment for what he owed them? The boat was either forcibly taken away by the Kroomen, or it was voluntarily given up. If the former, the Government of Liberia is bound to protect British ships and British subjects from the violence of those who are supposed to be under its sovereignty, and prevent them taking the law into their own hands, even supposing they had not gone to the regular ports of entry for Kroomen. But where are the regular ports of entry? If the latter, then the boat became the *bonâ fide* property of the Kroomen in payment of a debt due to them from Mr. Croft, and therefore Mr. Harriott, even as a British subject, had no claim whatever on the boat afterwards.

6. The Secretary of State says: "Mr. Harriott, as a British subject, asked for the boat and received it." He could not recover that which did not belong to him, nor to the "Dahomey," because the Secretary of State says the supercargo of that vessel "had given it to the Kroomen in payment of what he owed them."

7. Again, is it any reason that a British merchant-vessel, anchoring upon the coast of Liberia out of the limits of these so-called ports of entry, should be subject to such acts of lawlessness and piracy as the "Dahomey" was, merely because they came there, or because the supercargo refused to listen to the outrageous demands made upon him by these Kroomen?

8. The Liberian Government is, or is not, able to protect those who come to their coast for legal purposes, and it either has, or has not, authority over those natives who reside in that territory over which it claims jurisdiction, and which it pretends to rule with sovereign right.

The Secretary of State says: "I am further directed by the President to say that, even should Mr. Harriott's statement not prove correct, the act of Mr. Supercargo Croft in going to Niffon and anchoring there for the purpose of transacting business without entering his vessel at the regular port of entry, one of which was but a few miles above Niffon, was a clear violation of the law of Liberia."

Supposing this to be the case, was it any reason for the Kroomen, subjects of Liberia, to behave in the manner they did, and take the law into their own hands, without reference to the seat of Government?

10. But merchant captains and others deny that there are such places as ports of entry; and the Secretary of State is not certain that Mr. Harriott's statement about the boat being delivered over to the Kroomen as payment of a debt is correct.

I must apologise to their Lordships for this long statement, and I have to request they will give me instructions for my future proceedings in the matter.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 185.

Commander Chapman to Rear-Admiral Sir B. Walker.

Sir, "*Ariel*," *at Sea, April* 12, 1864.

I HAVE the honour to forward herewith a letter, with its inclosures, reporting having placed a crew on board the Spanish ship "*America*," in order to navigate her to Sierra Leone, there to be adjudicated before the Mixed Commission Court on suspicion of being engaged in the Slave Trade; and in forwarding this report of my proceedings I would beg to observe that in addition to the statements made in the accompanying inclosure I am desirous of stating, for your information, that the

accounts I received of this vessel at Nos Beh were from a reliable source, and convinced me that unless I stopped her there and then she would get away from the coast with a full cargo of slaves after all the efforts of Her Majesty's cruizers on the East Coast of Africa to prevent her.

I have, &c.
(Signed) W. C. CHAPMAN.

Inclosure 1 in No. 185.

Commander Chapman to Rear-Admiral Sir B. Walker.

Sir, "*Ariel*," *at Sea*, *April* 11, 1864.

I HAVE the honour to report that on the 3rd instant, when in latitude 13° 45′ south, longitude 46° 51′ east, a sail was observed at 6 A.M., and proceeding in chase proved on boarding to be the Spanish ship "*America*," whose movements from their suspicious character have been watched for the last ten months by Her Majesty's cruizers on this coast.

The Senior Lieutenant was dispatched to board her, and after having received his report, on mature consideration, and from information I have gathered as to her movements, on the 5th instant I boarded her myself, and resolved to send her to Sierra Leone, there to be adjudicated before the Mixed Commission Court.

The reasons for my doing so are as follows:—

1. Two bulkheads or divisions, with several loose planks, and four tons of ebony, which would make another slave-deck, a quantity of staves, &c.
2. A main deck thoroughly adapted for the conveyance of slaves.
3. Some slave-stocks.
4. A larger quantity of water, both in casks and tanks, than requisite for the crew of the vessel.
5. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessels should only be used for other than lawful commerce.
6. A larger quantity of mess gear than requisite for the crew of the vessel.
7. Cooking-range much larger than requisite for the crew of the vessel.
8. A very large quantity of rice and rice in husk (upwards of 100 tons), and not entered on manifest as part cargo for trade, also 4,000 cocoa-nuts (both slave-food).

This vessel arrived at Mozambique in July 1863, and was immediately reported by the Governor-General at Mozambique to the Senior Officer of Her Majesty's ships on the East Coast of Africa as being about to engage in the Slave Trade. She left Mozambique and arrived at Zanzibar on the 4th October, having no ostensible object in view at this port. She had much difficulty in procuring an agent: the French Consul, who usually acts for Spain, objecting to have anything to do with her: eventually a German merchant named M. Reuter and Mr. Him, an American merchant, supplied her with a very small portion of cargo (cloves), which was taken in as a blind, and which even the merchants (Europeans) at Zanzibar laughed at; she then left for Mozambique, having been under the surveillance of Her Majesty's cruizers the whole time.

At Mozambique she remained some time, and during the temporary absence of Her Majesty's ship "Orestes," who had been watching her some two months, and left her with sails unbent, she sailed, and was subsequently found at Nos Beh the latter end of last month by this ship.

I should here remark that by the log of the "*America*" she appears to have arrived on the 5th of March, 1864, whereas by the French official certificate of arrival she arrived on the 16th, thereby a discrepancy of ten days existing.

I heard at Nos Beh that the "*America*" was waiting for a brig which was to bring her rice: it was also reported that she was to proceed to a certain rendezvous where she was to meet a vessel with her cargo of slaves.

At Majunga it was also reported that in the vicinity of Villa ma Ca a great number of slaves were collected, several native dhows having brought cargoes from the coast of Africa, as I heard, for a large European ship which was expected.

This vessel is mentioned on the suspicious list from the Foreign Office.

Lieutenant Dunlop, in charge of a prize-crew, was placed on board, a copy of whose orders are inclosed, together with the Report called for by the station orders.

I have, &c.
(Signed) W. C. CHAPMAN.

Inclosure 2 in No. 185.

Lieutenant Buckle to Commander Chapman.

Sir, "*Ariel*," *at Sea*, *Lat.* 13° 45′ *S.*, *Long.* 46° 55′ *E.*, *April* 3, 1864.

IN compliance with your orders I this day boarded the Spanish ship "*America*," and have to report as follows:—

She sailed from Nos Beh on 31st March, and is bound direct to Cadiz. She has on board a very small cargo for the size of the vessel, consisting of 1,800 bags of cloves, 123 tons of rice, some in husk, 4,000 cocoa nuts, and 4 tons of ebony. Under the cargo a considerable amount of ballast sand, shingles, and stones, admirably adapted for laying a lower slave-deck.

The ship's papers were incorrect as far as I could ascertain, viz., arrival at Nos Beh, the cargo not manifested, or any receipt from the Custom-house for the great quantity of water-casks.

The muster roll also appeared to be incorrect, some of the crew only discharged by a single D in pencil. There were also three large tanks measuring respectively, the two riding tanks, each 4 feet 2 inches deep, 6 feet 8 inches long, 7 feet 10 inches across top, 4 feet 10 across bottom; the lower tank measured 4 feet 5 inches deep,

7 feet 10 inches long, 15 feet 6 inches across top in fore part, being built to fit the after run of the ship; there were also 14 pipes, 10 full, and over 20 small water-casks, besides several jars, &c.

She has a regular main deck partially opened up amidships, with spare planks laying about, quite adapted for making a slave-deck to hold several hundreds.

I was unable to search her as thoroughly as I could have wished, or I imagine I should have found more to stamp her illegal calling.

I have, &c.
(Signed) CLAUDE E. BUCKLE.

Inclosure 3 in No. 185.

Memorandum for Cruizers.

"*Orestes*," *at Johanna, August* 15, 1863.

ON the 13th July there arrived at Mozambique a large Spanish ship said to be 602 tons and named the "*America*," Captain Antonio Biscuerti, with a crew of twenty-one persons from Cadiz, Buenos Ayres, and Inhambane; off the latter place, in attempting to communicate, she lost a boat with four men on the bar. She has a cargo of wine, brandy, a steam-engine for cleaning rice, for which she brought a Scotch engineer, fire bricks, and about 100 tons of coal. The steam-engine, I believe, was fitted for condensing; it was landed and set up at Mozambique, but the engineer is recently dead, and the engine is now useless, even for condensing.

Information of the arrival of this vessel having reached me at Zanzibar on the 1st August from the Governor-General, I proceeded to Mozambique, dropping the boats at Ibo, and arrived at the former place on the 12th. I found the "*America*" anchored to the northward of Port Sebastian, close to the Portuguese gun-boat "Maria Anna," but in a good position for shipping out; her sails are unbent, she has two anchors down, ladder out, &c. She seems very large and is very high out of the water, with poop, and forecastle and cabins under the ladder, a high figure-head, stern perpendicular, a good deal of white about it, white poop rails, one if not two white quarter boats, main royal masts, fore and mizen stump, top-gallant masts, four jibs, very large breeze blocks or pendants.

She has been closely examined by the Portuguese authorities, everything about her at present is legal; but no one doubts for a minute that she came to carry slaves or to assist other vessels to do so. It is said that there are two more vessels belonging to the same owner (a Cadiz man) on the coast or shortly expected. The supercargo was lost in the boat at Inhambane, it is probable that he was the leading man in the undertaking; two or three of the crew are down with dysentery, and the vessel seems altogether too weakly manned for the business in which every other circumstance points to her being engaged.

It will be observed that this vessel is on the Foreign Office list of suspected vessels, with captain of the same name, and is there stated to have sailed from Cadiz in February for Buenos Ayres with a mill on board for grinding rice.

I was informed by Mr. Witt at Zanzibar, though I don't know how far it may be credited, that this same vessel has taken in cargoes of slaves for the last three years, at or near Ibo; shipping generally between 1st and 12th August, and taking in each time upwards of 1,000 slaves.

I have stated that this vessel endeavoured to communicate at Inhambane; it is worthy of remark that there are strong reasons to suspect that Major Portugal, at present the Governor there, has not kept his hands clear from the Slave Trade. It was the common talk at Quilimane when Dr. Kirk and Mr. Charles Livingstone, now on board this ship, were there, and I had a hint of it both at Ibo and Mozambique from persons in authority. Now it is strange that on his way out from Portugal early in 1862, this Major Portugal, to whom I afterwards gave a passage from Bombay, touched at Cadiz, and I understand stayed some time in the house of the owners of the "*America*."

Major Portugal is now transferred to Quilimane, though I have not yet heard of his arrival there, and there is no doubt that if inclined to countenance the Slave Trade he will meet plenty of encouragement, as every Portuguese there is eager to go into it and take advantage of the recent famine in the Shire and Zambesi, the consequence of which are the slaves (or their skeletons) are now selling in the lower part of the Zambesi for a bag of corn (half a dollar each).

Dr. Kirk tells me there are two rivers, a day's journey north of Quilimane, navigable by launches, and having an interior communication during the wet season with that river; he thinks shipments would be more likely to be made there than at Quilimane itself. It is reported that five vessels have got away since last year with slaves, two from Inhambane, two from Ibo, and one perhaps from the neighbourhood of Quilimane.

I do not believe that large shipments of slaves are made under the Portuguese forts, that is, at Ibo, in the harbour of Mozambique or at the mouth of the Quilimane, but small numbers are constantly getting away from the neighbouring bays; only a few days ago a caravan of slaves driven by Ajawa people arrived at the head of the Bay of Mozambique opposite the Island.

Djounna, my interpreter, who has been a long time in our service, landed for information, and tells me that four dhows have left within the last few days for Mohilla, and that one was to leave on the 15th August for that island. They take in their slaves at the north end of Litagonha Island.

(Signed) ALAN H. GARDNER,
Captain and Senior Officer.

The Officer Commanding any of Her Majesty's ships.

Inclosure 4 in No. 185.

Memorandum of Information of a Vessel suspected of being about to engage in the Slave Trade.

"*America*," Manuel Bisquert, 602 tons, sailed from Cadiz in February for Buenos Ayres, but in reality for the coast of Africa. She had on board a cargo of rice, and boilers for a mill for grinding rice, to be erected, it is stated, at Zanzibar.

For the information of Commander Chapman, Her Majesty's ship "Ariel."

(Signed) B. W. WALKER, *Rear-Admiral and Commander-in-chief.*

"*Narcissus*," *in Simon's Bay, April* 15, 1863.

Inclosure 5 in No. 185.

Orders addressed to Lieutenant Dunlop.

Memo. "*Ariel*," *at Sea, April* 5, 1854.

YOU will proceed on board the Spanish ship "*America*" (suspected of being abont to engage in the Slave Trade), and bound direct to Cadiz; and instead of going to Cadiz, after you have rounded the Cape of Good Hope, you are to shape your course for Sierra Leone, and on your arrival there place the ship in the Mixed Commission Court as being suspected of being engaged in the Slave Trade.

You are not to navigate the ship, or in any way interfere with her working, as long as you are satisfied that the Spanish master is making the best of his way to round the Cape; but should the captain and crew refuse to navigate, you are to make the former, in writing, state so; the latter, if you find you cannot coerce, you are to place on short provisions and keep under surveillance. In doing this you are to be guided by Inclosure No. 1, and to bear in mind that the vessel and crew are innocent until they are condemned.

On arrival at Sierra Leone you will deliver the accompanying papers to the Admiralty Proctor; and after having delivered over the vessel you will place yourself under the orders of the Senior Officer of the North Division, informing him that the "Ariel" will call at Sierra Leone *en route* to England.

(Signed) W. C. CHAPMAN, *Commander*.

To Lieutenant M. J. Dunlop,
In charge of Spanish ship "*America*."

Inclosure 6 in No. 185.

RETURN of Vessels detained as being engaged in the Slave Trade, and sent into Port for Adjudication.

Date of Detention.	Where.	Name of Vessel.	Name of Master.	Name of Owner, and of what Place.	Under what Colours.	How rigged.	No. of Men.	No. of Guns.	No. of Tons.	Where From.	Where Bound.	Where Belonging.	Date of Sailing from last Port.	Nature of Cargo.	To whom consigned.	If with Slaves on board. No. of Men.	Women.	Boys.	Girls.	Where shipped.	Of the Prize Crew. Name and Rank of the Officer in charge.	No. of Commissioned Officers.	Petty Officers and Seamen.	Marines.	Boys.	To what Port sent for adjudication.	Name of Proctor.	Agent in London.	Condition of the Slaves and Vessel, stating the Number of Deaths before Adjudication, and the Number Emancipated.	Circumstances which have induced the Captain to detain the Vessel, with general Remarks.
1864 Apr. 5	Lat. 13° 57′ S Long. 46° 4′ E.	America .	Antonio Bisquet	Senora Viuda del Portella, Cadiz	Spanish	Ship .	20	2	602	Nos Beh .	Cadiz	Cadiz	1864 Mar. 31	Slave-fittings	Unknown	...	...	...	...	...	Mr. J. Dunlop, Lieutenant	2	9	2	2	Sierra Leone	Unknown	Messrs. Chard and Co.	... ...	1st. Two bulkheads or divisions, with several loose planks and four tons of ebony, which would make another slave-deck; a quantity of staves, &c. 2nd. A main-deck, thoroughly adapted for the conveyance of slaves. 3rd. Some slave-stocks. 4th. A larger quantity of water, both in casks and tanks, than requisite for the crew of the vessel. 5th. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessels should only be used for other than lawful commerce. 6th. A larger quantity of mess gear than requisite for the crew of the vessel. 7th. Cooking-range much larger than requisite for the crew of the vessel. 8th. A very large quantity of rice in husk (upwards of 100 tons) and not entered on manifest as part cargo for trade; also 4,000 cocos-nuts (both slave food). 9th. Her suspicious movements.

(Signed) J. H. CHAPMAN, *Commander.*

No. 186.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," at Jella Coffee, July* 5, 1864.

I HAVE to request that you will inform their Lordships that in compliance with directions contained in their letter to me dated 23rd March of this year, calling upon me to endeavour to find out by every means in my power otherwise than by ascending the River Volta, whether any vessels have landed arms or ammunition for the Ashantees in that neighbourhood—I have been unable to gain any further intelligence on this point.

2. I have passed the River Volta several times since the receipt of their Lordships' letter, but no vessel of any kind has been in the neighbourhood.

3. The means of landing arms and ammunition on this part of the coast are very numerous.

4. At Occo and Atakoo, as well as at Adda, vessels of all nations are frequently seen trading with the natives, and doubtless arms and ammunition are amongst the articles of commerce there as elsewhere.

5. The Lagoons in the neighbourhood afford the means of both barter and concealment, and I am inclined to believe that the articles above mentioned are easily obtained both at Accra and all along the coast to Cape St. Pauls, even further to the eastward.

6. Arms and powder have always been the principal articles of trade on this coast, and no difficulty whatever is experienced in their purchase from trading vessels if the money is forthcoming.

7. I have no authority to stop the landing of these things, and we cannot establish a blockade, because the King of Ashantee does not possess a yard of ground along the sea-coast.

I have, &c.
(Signed) A. P. E. WILMOT.

No. 187.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) *Whydah, July* 8, 1864.

I LEFT Cape Coast Castle on the morning of the 2nd July, remained at Accra for a few hours, and then went on to Jella Coffee, where I anchored on the afternoon of the 3rd. "Pandora" was there, and I received the two mails that had arrived in the Bights since my departure for Ascension.

On the morning of the 7th I left Jella Coffee, and communicated with the "Ranger" off Fish Town. The same afternoon I fell in with "Jaseur" off Little Popo, and turned over to Commander Grubbe the Command of the Bight Division.

I then communicated with "Speedwell" between Aghwey and Little Popo, anchoring at Whydah, at 9 A.M. on the 8th, where the "Zebra" is stationed.

I have supplied each of the cruizers in passing with a turtle from Ascension.

As the "Zebra" and all the squadron are short of coals, I shall watch Whydah until her return from Fernando Po, with a supply for all of them, after which I intend to take the "Antelope's" place off Appi, and let Lieutenant Allingham go away for the same purpose.

I cannot help mentioning here again particularly, as every cruizer is required to watch the Spanish slave-steamers, the great advantage of a depôt ship at Jella Coffee, in preference to sending them off their stations to Fernando Po.

Such is the intelligence, energy, determination and perseverance of these slave captains, that all our movements are known, and every manœuvre tried to baffle our vigilance.

The commanders of the cruizers are men whose zeal cannot be doubted, but they have a very up-hill game to play, unceasing watchfulness is necessary, and this upon a coast where there is no change and no relaxation from duty.

A great advantage which these slave-steamers possess is, that they have an unlimited supply of coals. The "Ciceron," so near captured on the 7th May, off Porto Seguro, arrived with 600 tons of coal on board. They are thus enabled to exhaust our resources, and leave us empty-handed when the critical moment arrives.

I am sorry to say that the health of both officers and crews of the Bights Division has not been so satisfactory this year as it was during the past year.

No. 188.

Commander Perry to the Secretary to the Admiralty.

Sir, "*Griffon,*" *at Sharks' Point, June* 5, 1864.

I HAVE the honour to inform you that at 6·20 A.M. of June 3rd, when steaming out of Congo (to proceed south), I observed a large felucca and small fore-and-aft schooner off Point Padrone. I immediately went on full speed in chase, when the schooner stood to the southward and felucca bore up for the beach.

6·40. Observed felucca run on shore and large numbers of negroes escape from her through surf into the bush.

Most of these negroes leapt from the vessel unchained, but I observed one gang of about thirty apparently, thrust overboard chained together. On nearing beach, I sent cutter and whaler in charge of Mr. Richards, gunner, to endeavour to land and recapture the slaves.

Went on in "Griffon" in chase of schooner, which I boarded, and found to be under Portuguese colours and laden with powder for Ambriz.

I then returned and anchored off felucca.

10·30. Mr. Richards returned on board, bringing with him a slave-chain on which were thirty shackles for the neck, which he had picked up on edge of surf.

He also reported that felucca was fast breaking up, owing to the heavy surf running. I therefore ordered Mr. Bigley (second master in charge), Mr. Richards (gunner), and chief carpenter's mate to proceed to wreck, to endeavour to get as accurately as possible her measurement and then to destroy her, which I completed by firing a shot into her hull.

I cannot at present succeed in procuring any reliable information concerning the felucca or her destination.

I beg to inclose a copy of the report made to me by Mr. Bigley (second master), Mr. Richards (gunner), and chief carpenter's mate, concerning survey and measurement of felucca.

No colours were shown by felucca.

I have, &c.
(Signed) J. L. PERRY.

Inclosure in No. 188.

Report.

IN pursuance of your order of this day's date, We whose names are hereunto subscribed, proceeded to examine the Slave felucca run on shore this morning while being chased by Her Majesty's ship under your command.

We found her bilged on the port side, masts having fallen overboard, and by all appearances she was beginning to break up fast through the heavy surf running in at the time. She was totally unfit to undertake a voyage to St. Helena. With great difficulty we succeeded in obtaining the following dimensions: Length from afterpart of stem to forepart of stern-post, 68 feet. Breadth, at 23 feet abaft the stern, 18 feet. Depth of hold, from under side of deck to kelson, 10 feet four inches. And we declare that we have taken this survey and measurement with strict care and accuracy.

"*Griffon,*" *Turtle Cove, Congo River, June* 3, 1864.

(Signed) CHARLES J. BIGLEY, *Second Master.*
OLIVER RICHARDS, *Gunner.*
ELLER Mc KELLER, *Chief Carpenter's Mate.*

No. 189.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) *Jackim, July* 8, 1864.

THE "Rattlesnake" will take the station off Whydah until the arrival of the next outward mail, when I shall go to Lagos to superintend the Niger expedition.

I have filled up the complement of the "Investigator," and sent also a few extra hands.

As we are very short of medical officers, two having lately died, and another, Mr. Whitaker, being very sick on board the "Antelope," I have taken advantage of Dr. Eales, Colonial Surgeon at Lagos, who is most anxious to visit the Niger, and has volunteered to go.

He will have charge of the medical department, with Mr. Sweatnam, supernumerary assistant surgeon of this ship, under him.

Dr. Eales' health is not of the best, but his knowledge of the African climate, manners, and customs, &c., will be most valuable.

Lieutenant Knowles is also not very strong, so I have deemed it necessary to assist him with Lieutenant Sandys of this ship, a young officer of zeal and intelligence.

Everything will be provided by me, as was done in the last expedition, for the health and comfort of both officers and men, and I have requested Acting Governor Glover to hire a large boat at Lagos for carrying an extra supply of coals.

This year has been a fatal one in the Bights, but as the fine season is approaching, I trust that the health of the officers and men, under Divine Providence, will be restored, and that everything will go on satisfactorily.

No. 190.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," off Whydah, July* 11, 1864.

I HAVE the honour to inclose copies of the Treaty made by Commander Leveson Wildman, between the Chiefs of Little Popo and Ahgwey, on the 20th April last, and in doing so I beg to point out to their Lordships the difficulties this officer had to contend with, and the very great exertions made by him to successfully accomplish this desirable end.

2. All trade had been stopped for more than a year, and merchants and others were beginning to feel very uneasy. The consequence has been, that they turned their attention to the Slave Trade for support, but I have now every reason to hope that a good legal trade will be again re-established, to the exclusion of the other.

I have, &c.

(Signed) A. P. E. WILMOT.

Inclosure 1 in No. 190.

Commander Wildman to Commodore Wilmot.

Sir, *"Philomel," at Little Popo, April* 21, 1864.

I HAVE the honour to inform you that peace is made between the towns of Aghwey and Little Popo.

2. The terms and agreements in writing, signed by the head men of both towns, are enclosed.

3. I trust that you will consider I was justified in deviating slightly from your instructions to me, namely, "To insist on the delivery of Peter Cudjoe to you, for passage to any place on the coast, &c.," before trying to arrange matters.

4. My reasons for using my own discretion on this point, are based on the letter addressed to you by the head men of Little Popo.

5. You will see by the agreement that I have insisted on the right being given to you of removing Pedro Cudjoe, in the event of his making war from Little Popo, and the head men of that town being unable to prevent him.

6. Hoping that my conduct may meet with your approval, I have, &c.

(Signed) LEVESON WILDMAN.

Inclosure 2 in No. 190.

Agreement with the Chiefs of Aghwey.

WE, the Chiefs of Aghwey, do hereby faithfully promise from henceforth not to attack or molest the town or people of Little Popo, always provided that our town and people are not attacked or molested by the people of Little Popo.

In the event of the person calling himself Pedro Cudjoe, or any other person from Little Popo, attacking or molesting our town and people without the concurrence of the Head Men of Little Popo, we reserve to ourselves the right of dealing with the person or persons according to our native laws, without making war on Little Popo.

Two years ago we promised the commander of the British man-of-war "Spitfire" not to attack or make war with Little Popo; he promised us that the people of Little Popo should not be allowed to attack us while the "Spitfire" was here at anchor off our town, and after we had given our faithful promise to her Commander, the Little Popo people came here, assisted by the Awoona people, to burn our town. We did nothing until they were close to and firing at our town, thinking that the "Spitfire" would prevent them, as her Commander had promised. Instead of doing so she steamed about and the officers looked through their glasses, enjoying the sight. When we promise a great nation anything, and an officer of that nation promises us, we keep our promise and expect the

great nation to keep her promise. We kept our promise; the great nation of England did not keep theirs. This makes us cautious.

(Signed) LEVESON WILDMAN, *Commander and Senior Officer.*
EKOOM, his ⋈ mark.
ILEY VI, his ⋈ mark.
TETTE KUEY, his ⋈ mark.
TAMMI, his ⋈ mark.
TOLKY GIREYHU, his ⋈ mark.
KUSSI GANZIZO, his ⋈ mark.
KUCKU AVOOYI, his ⋈ mark.
PHILIP GOO, his ⋈ mark.
JOE, his ⋈ mark.

Witnesses:
(Signed) F. S. MEDEIRO.
JOSEPH DAWSON.

The promise (in writing) mentioned by the Chiefs of Aghwey was produced and shown to me in the presence of Mr. Dawson, Interpreter, and all the Head Men.

I know that their promise has been truly kept, and from what I hear from trustworthy persons, I fully believe that their statement respecting the "Spitfire" is in all respects perfectly true.

(Signed) LEVESON WILDMAN, *Commander.*

Certifico em como é certo ou relatado em este documento, e em o documento passado pelo o Commandante di vapor de guerra Ingles "Spitfire."

Aghwey, April 20, 1864.

(Signed) FRANCISCO JOSE MEDEIRO.

Inclosure 3 in No. 190.

Agreement with the Headmen of Little Popo.

WE, the head men of Little Popo, do hereby promise to the Commodore Wilmot and Commander Wildman that we will not carry on the war with Ahgwey from this day forth. We further promise that we will not molest any of the people belonging to that place from this date.

In the event of the person calling himself Pedro Cudjoe, or any one else that it would be inconvenient for us, the head men, to punish, stirring up any disturbance or carrying war from their own town of Little Popo to the friendly town of Aghwey, we hereby agree to give the person or persons up to the first British man-of-war arriving here, to be conveyed without restraint during the passage to Whydah, where they will be landed and allowed to follow their own desires.

Little Popo, April 13, 1864.

(Signed) SUTLEJ TOBU, his ⋈ mark.
LEGGIRO, his ⋈ mark.
QUAREE HATTA, his ⋈ mark.

Witness:
(Signed) J. DAWSON.

This paper was brought to me by the head men of Little Popo on Monday, 18th April, 1864.

After they had given it to me it was read to them and thoroughly explained to them by Mr. Dawson, interpreter, who, by my direction, asked them if they thoroughly understood the meaning of the paper brought, and if it expressed what they wished to say and promised.

They all answered, "Yes, it has been written for us by our direction."

(Signed) LEVESON WILDMAN, *Commander.*

Witnesses:
(Signed) JOSEPH DAWSON.
JAMES M. TUNSEN.

Inclosure 4 in No. 190.

The Headmen of Little Popo to Commodore Wilmot.

Honoured Sir,

WE, your servants have been brought to understand by your letter that we are to deliver up to you our friend Pedro Cudjoe, to be landed at any other place he chooses. We are obedient to your advice, but we beg to state that it is impossible for us to do that, because he is a native of this place, Little Popo, and there would be great disturbance between us and his family, and it would raise a civil war. We beg to state that it would not do, but we have promised not to make any more war, and that if he declares war we will stop him, and if he is determined on it, we will give information to any of Her Majesty's ships of war in order that they may interfere.

We are, &c.

(Signed) SUTLEJ TOBU.
LEGGIAO ABBOKEE, his ⋈ mark.
QUAREE, his ⋈ mark.

No. 191.

Commodore Wilmot to the Secretary to the Admiralty.

"*Rattlesnake*," *Jackin, August* 6, 1864.

SUBMITTED for the information of their Lordships.

Lieutenant Lambert's conduct is so unaccountable and extraordinary, that there is no doubt he is suffering from mania.

I hear he has been very violent, but that he is now more quiet.

If possible he will be sent to England in the "Gladiator." I sincerely hope the poor young officer will recover in a more genial climate.

(Signed) A. P. EARDLEY WILMOT.

P.S.—It is reported that insanity is hereditary in his family.

A. P. E. W.

Inclosure in No. 191.

Acting Commander Ommanney to Commodore Wilmot.

Sir, "*Sparrow*," *Whydah, August* 5, 1864.

I HAVE the honour to report that Lieutenant Richard B. Lambert, being sent by me to examine the American barque "Warren White," off Jella Coffee, hauled down the American colours and hoisted the English, and behaved in a violent manner to the master and crew. Being put under arrest (close) by me, he was found by the assistant-surgeon to be suffering under an attack of mania, and I regret to state it has been necessary to keep him since that date under the charge of a sentry, to prevent him injuring himself or others.

I have, &c.

(Signed) FRAS. M. OMMANNEY.

No. 192.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *off Jackin, August* 7, 1864.

I HAVE the honour to report for their Lordships' information, that a messenger from the King of Dahomey arrived at Little Popo, while I was at anchor there on the afternoon, 4th instant, having come up from Whydah by lagoon, accompanied by Mr. Bernaski, Wesleyan Missionary, on purpose to see me.

He was desired to see me "face to face."

The purport of the message was "That the King was anxious to see me at Abomey; that he did not like Burton; and it was not likely he would make any treaty with him after refusing his friend the Commodore. That if I would come he would tell me what was in his mind, and send a proper message to the Queen."

I replied, "That it was not likely the British Government would send another messenger to the King, whose conduct evinced a want of sincerity. That I was sorry he did not like Burton, who was an authorized Commissioner from the Queen, and therefore his words ought to have been considered. That I should certainly never visit Abomey again, but, nevertheless, had the same interest in the peace and prosperity of the country, as I expressed to the King at the beginning of last year. That presents had been made, and a sincere desire evinced by the British Government to be friendly with Dahomey, but all to no purpose. It was not likely that these would be repeated. Such a course would be beneath the dignity of a great nation. The King must give something in return."

I then said, "Tell the King from me that I still wish to be his friend; that he must hearken to my words. His late defeat at Abbeokuta has humiliated him very much, and lost him many warriors; how are these to be replaced? These constant wars are fast decreasing the population of Dahomey, which, in a year or two will crumble away. He cannot sell his slaves, because the coast is too well guarded. He has many enemies, who are awaiting the favourable moment for destroying him and his people; Abbeokuta on one side, the tribes from the Kong Mountains, the Independent Chiefs near Lagos and Porto Noos, the sea tribes to the westward, and Ashanta; all these will most certainly attack Dahomey if the English blockade his ports. How can he get his supplies if we prevent them from being landed?

he is now so dependent on the white man for arms, powder, rum, cloths, iron, tobacco, wine, &c., that he cannot do without them, nor feed his people.

"What will he then do? There is not enough produce from the soil for him and his people to live upon; they will turn away from him, and get their living on their own account. It must be so; let him give his attention, then, to trade and the cultivation of the ground.

"Suppose Abbeokuta were to send 30,000 men against Dahomey, what will become of the King? It would be too late to make friends with England, and offer to do what is now required. Tell him to think seriously of these things. All nations will rejoice at Dahomey's fall, if the King falls in a bad cause. Let him send his principal chiefs to Whydah, and give them full authority to treat with me, if the British Government authorize me to do so."

The messenger acknowledged that all I said was true, and promised to deliver my reply most faithfully. I then dismissed him, with the customary presents.

Before concluding this letter, I would ask their Lordships for instructions, in the event of the King adopting my advice, and whether I should be authorized to treat with him upon the subject of the Slave Trade alone.

I would also ask if anything like a subsidy would be acknowledged.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 193.

Lieutenant Dunlop to the Secretary to the Admiralty.

Sir, *Sierra Leone, August* 20, 1864.

I HAVE the honour to report, for the information of my Lords Commissioners of the Admiralty, that from circumstances arousing my suspicions, I, on the 2nd day of August instant, proceeded on board the Italian ship "*Riccarda Schmidt*," then at anchor in this port, and found her fitted out and equipped for the Slave Trade, contrary to the provisions of the statute 5 Geo. IV, cap. 113, she having on board as follows:—

1st. A complete second or slave deck.

2nd. An extraordinary number of casks, capable of containing a very large quantity of water, for which the master has produced no certificate of security having been entered into, that the said quantity of casks should not be used for other than legal purposes of trade.

3rd. Several extra boilers below, and in addition to those used in the cooking house for the crew of the vessel.

4th. I also noticed several apparent discrepancies between the papers and the statements made to me, that two guns mounted on deck, eighteen rifles concealed in a side cabin, and eleven kegs of powder in the hold, were all properly mentioned in the papers; whereas, upon examination, I found that the places left in the equipment hold for those other articles were blank. I also found that though the Captain declares he has been boarded by several men-of-war, whilst on this coast, there is not one entry to that effect made in his log-book by an English boarding officer. Under those circumstances, I, acting on the written opinion of Mr. Huggins, Queen's Advocate, and Mr. Dougan, also an Advocate, and one of long standing, seized the said "*Riccarda Schmidt*" and placed her in the Vice-Admiralty Court, for adjudication, as a vessel liable to forfeiture to Her Majesty, by her being found in British waters, fitted out and equipped for the Slave Trade, contrary to the provisions of the said statute, 5 Geo. IV, cap. 113. On a subsequent visit I discovered, concealed in the run of the vessel, a large boiler; and again, in the search made by the Marshal of the Court, two more boilers were found.

It is my firm belief that this vessel has only been deterred from shipping a cargo of slaves by the strict blockade now existing in the Bights.

Trusting my conduct will meet with their Lordships' approval, I have, &c.

(Signed) W. DUNLOP.

No. 194.

The Secretary to the Admiralty to Mr. Hammond.

Sir, *Admiralty, September* 21, 1864.

WITH reference to your letter of the 20th instant, transmitting a copy of one from Dr. Baikie, in charge of the Niger Expedition, complaining of a want of proper courtesy towards him on the part of Lieutenant Gambier and Mr. Adlam, late of Her Majesty's ship "Investigator," I am commanded by my Lords Commissioners of the Admiralty to state, for the information of Earl Russell, that orders will be sent to Commodore Wilmot to cause a strict inquiry to be made into this matter.

I am, &c.
(Signed) W. G. ROMAINE.

No. 195.

Commander Battiscombe to the Secretary to the Admiralty.

Sir, *"Snipe," of Congo, July* 6, 1864.

I HAVE the honour to inform you that the boats of Her Majesty's ship under my command, whilst away cruising off Longo, in charge of Lieutenant Shuckburgh, on the 1st July captured a barque, name and nation unknown, and fully equipped for the Slave-trade, in latitude 3° 54′ south; longitude 10° 45′ east.

2. She had no papers or colors, and I have this day sent her to St. Helena for adjudication, in charge of Lieutenant Shuckburgh, with a prize crew of twelve men.

3. This capture was not effected in consequence of information from the Foreign Office, either directly or indirectly.

I have, &c.
(Signed) A. BATTISCOMBE.

No. 196.

Lieutenant Dunlop to the Secretary to the Admiralty.

Sir, *Sierra Leone, August* 31, 1864.

I HAVE the honour to report to you that I have discharged to Her Majesty's ship "Gladiator," for passage to England, the remainder of my prize crew, excepting Mr. Leacock, Sub-Lieutenant, who, being a witness in the case of the Italian vessel "*Ricarda Schmidt*," I am obliged to detain here.

I beg also to inclose copies of the legal opinions upon which I have acted in seizing the said ship, and which I omitted to send in my letter of date 20th August.

I have, &c.
(Signed) M. J. DUNLOP.

Inclosure 1 in No. 196.

Lieutenant Dunlop to Mr. Huggins.

Sir, *Sierra Leone, August* 2, 1864.

I HAVE this day boarded the Italian ship "*Ricardo Schmidt*," now at anchor in this port, and I found that she had cleared out from Genoa for the Coast of Africa, also that she has on board the following equipments :—

1. A complete second deck fore and aft.
2. Seven full casks, containing about 130 gallons of water each.
3. An extraordinary number of empty casks capable of containing about 150 gallons of water each; and the master produced no certificate to say security had been entered into that those casks should not be used for other than legal purposes of trade.
4. In addition to the utensils used (in the cooking place) for the crew, I found below one boiler of from 4 to 5 gallons capacity, another of from 2 to 3 gallons capacity, two saucepans of 2 gallons capacity, and another of about 1 gallon.
5. I found on board two guns, mounted on deck, eighteen rifles in a side cabin, and eleven kegs of powder in the hold.

I have the honour now to request you will favour me with your opinion on the legality of my detaining and seizing this vessel.

I remain, &c.
(Signed) M. J DUNLOP.

Inclosure 2 in No. 196.

Opinion of Mr. Huggins.

Queen's Advocate's Chambers, August 2, 1864.

THE Statute 5 Geo. IV, cap. 113, and the Treaties made by the British Government with foreign States as well as the large sums of money expended by the Government for the effectual suppression of the Slave Trade, would justify the seizure by any officer duly authorized for that purpose of any vessel against which reasonable grounds of suspicion exist, and in order that there should be no hesitation to seize on the ground that the seizor might be made to pay costs, damages, and expenses in case the vessel be not condemned, a clause is introduced in every Treaty allowing of no compensation if any one of the Articles specified in the Treaty as grounds for seizure, be proved. Moreover, the 73rd Section of the Statute was evidently introduced as further security to the captors, making it lawful for any three or more of the Lords of Her Majesty's Treasury, if to their discretion it should seem meet, to direct payment of such costs, damages, and expenses as the seizor may be liable to pay, and all such would accordingly be ordered to be paid if the seizure has not been "wantonly or improperly made."

The "*Ricardo Schmidt*" is in British waters within the jurisdiction of the Vice-Admiralty Court of this Colony, and is amenable to the laws and municipal regulations of Great Britain. By those laws and regulations as well as by the Treaties she has made (Sardinia amongst others), of which the one with the United States of America, signed 7th April, 1862, is the last, showing what is considered as rendering a vessel liable to seizure and condemnation, the "*Ricardo Schmidt*" is liable to seizure for having any one of the Articles mentioned in Nos. 1, 3, and 4 of the case submitted for my opinion, and having more than one such articles, I do not think Lieutenant Dunlop, as a commissioned naval officer authorized under the 63rd Section of the above Statute, would be justified in not seizing the said vessel, the 4th Section of the Statute being very positive in enacting that the vessel, if equipped for the Slave Trade, shall become forfeited, and may and shall be seized and prosecuted, and undoubtedly the articles mentioned in this case clearly show "equipment."

(Signed) H. J. HUGGINS, *Queen's Advocate, Sierra Leone.*

Inclosure 3 in No. 196.

Opinion of Mr. Dougan.

I AM of opinion that the Italian ship "*Ricarda Schmidt*," being within British waters, is liable to detention and seizure under the 5 Geo. IV., cap. 113 (2nd and 4th section), intituled "An Act to consolidate the laws relating to the Slave Trade," as that Act declares that it shall not be lawful for any person to fit out, equip, or employ any vessel in the traffic of slaves, in the penalty of the condemnation of the ship and the cargo on board belonging to the same owners. An Italian vessel within our ports may be dealt with as a British vessel for any breach of our municipal laws, and it is for the party detained to prove that the Articles indicative of slave-dealing which have been found on board his ship are required for purposes of lawful commerce, and also that at the time of seizure he was so engaged.

You will therefore be fully justified in making this seizure. The Italian Government has entered into a Treaty with Great Britain for the suppression of the Slave Trade, and these Articles are strictly forbidden to be carried within certain latitudes therein defined, unless protected by certain precautions, which this vessel is not furnished with. Any of our cruizers duly authorized by the Admiralty under that Treaty could have detained the ship within this harbour if suspected of being engaged in the Slave Trade, and to prosecute in the Vice-Admiralty Court to condemnation, and any one or more of the several circumstances named in that Treaty, of which there are three to be found in this vessel, shall be considered as *primâ facie* evidence of the actual employment of the vessel in the Slave Trade.

(Signed) R. DOUGAN, *Advocate.*

No. 197.

Lieutenant Shuckburgh to the Secretary to the Admiralty.

Sir, *St. Helena, September* 2, 1864.

AS per instructions, I beg to report my arrival at St. Helena, with the slave-vessel, name and nation unknown, on the 21st July, 1864, which was condemned in the Vice-Admiralty Court of this Island on the 1st August, 1864.

Cargo, fittings, and hull sold by auction, realizing net 431*l.* 5*s.* 10*d.*, particulars of which, with the Marshal's and auctioneer's signature, will be forwarded to the Admiralty by the Registrar appointed here.

I have, &c.
(Signed) C. J. SHUCKBURGH.

No. 198.

Mr. Adlam to the Secretary to the Admiralty.

Sir, 14, *Great George Street, Westminster, September* 27, 1864.

WITH reference to your letter of the 21st instant, enclosing a copy of a letter from Dr. Baikie to the Foreign Office, and calling on me for an explanation, I beg to state that I am at a loss to understand what Dr. Baikie means, as I am unaware of having made any insinuations against him; and moreover beg to inform you that I was under the impression that he looked upon me, as I did him, in the light of a friend, which I was further led to believe in consequence of having parted with him on such terms of amity, and he expressed himself to me before we started to come down, in words to the effect that he hoped he should see me up again next year.

I am also at a loss to understand what he means by stating that my Commander was under my control; he certainly might have asked my opinion on several topics, and I of course answered them to the best of my judgment. I cannot remember and am not aware of having suggested or advised my commanding officer to do anything that would have a tendency to depreciate Dr. Baikie's influence or position. With reference to the letter which was given by King Massaba to Dr. Baikie, and sent through Commodore Wilmot, I beg to state that when my commander, Lieutenant Gambier, left Beda on the 29th September last, in consequence of an attack of fever, he gave me distinct instructions to carry out the orders he had received from Commodore Wilmot, and to take charge of any letter or present that King Massaba wished to send to our sovereign, Queen Victoria; therefore, on Dr. Baikie receiving the letter from King Massaba, I requested him to inform me whether it was to go through the Foreign Office or the Commodore, as I considered I was in duty bound to ascertain, to enable me to carry out the instructions I had received from Lieutenant Gambier. I therefore requested Dr. Baikie to give me the letter, which he did after leaving King Massaba's presence, remarking that he thought I was quite right. I therefore started with the letter, and immediately on rejoining the ship handed it to Lieutenant Gambier.

Lieutenant Gambier being sick, I reported to him that the river had commenced to fall, and suggested the necessity of leaving the confluence as early as possible, and I also expressed my anxiety to Dr. Baikie that our departure should take place without delay, in consequence of the fall of the river, the Treaties we had to make on the way down, and moreover we had twelve men on the sick list, and I myself being taken very ill the night previous to our leaving. Dr. Baikie refers to Mr. M'Coskry of Lagos, whom I feel confident will bear testimony of my conduct and zeal to promote the interests of the expedition, and I also beg to refer their Lordships to the reports of my former commanding officers, who will, I believe, all testify that I have always used my utmost endeavours to carry out my orders in a zealous and efficient manner.

I have, &c.
(Signed) W. H. ADLAM.

No. 199.

Commander Jones to Commodore Wilmot.

Sir, *"Sparrow," Lagos Roads, August* 23, 1864.

I HAVE the honour to inform you that having, pursuant to your orders, inquired into the circumstances which gave rise to the complaints made by the Commander of the Portuguese packet "Zaire" against the Commander of this ship, for the manner in which the duty of boarding was performed by him on the 1st of March, 1864.

That Lieutenant Ommanney having been the officer who performed that duty, I have thought it right to call upon him to give a detailed account of what took place on the occasion in question, which I have the honour to inclose.

I have, &c.
(Signed) L. F. JONES.

Inclosure in No. 199.

Lieutenant Ommanney to Commander Jones.

Sir, "*Sparrow*," *Lagos, August* 23, 1864.

I HAVE the honour to report that, on the 31st March, 1864, in obedience to the orders of Captain Cochrane, that I boarded the Portuguese mail-steamer "Zaire" to ascertain if she was a Portuguese mail-steamer, and also if she was engaged in the Slave Trade. As from information that I received on shore at Loanda, and which I reported to Captain Cochrane, we were led to believe that these mail-steamers were not only in the habit of carrying slaves under the name of libertos, but also of receiving slaves from vessels sent to meet them.

On boarding her I first examined the papers. I then proceeded to compare the papers with the cargo and to ascertain that the number of libertos agreed with the number of passports shown to me for this purpose. I fell them in on one side of the forecastle, and through a Portuguese seaman serving on board this ship I asked them several questions as to where they were bound to, and endeavoured to ascertain if they answered to the names on the passports.

There was also a large travenda or cargo-boat towing alongside. I inquired what she was, &c., and was told that they were in the habit of towing these boats. I desired to see their papers, and after some delay they were shown to me.

The captain of the mail-steamer and the white passengers were standing round me during this time, and their remarks and behaviour were very provoking, and at one time I thought I should have had to call the men out of the boat to prevent their interrupting me in the performance of my duty.

I cannot account for the charge of discourtesy brought against me by the captain of the mail steamer, as I was most careful not to do or to say anything that could possibly be construed as an uncivil or unofficer-like action, for I observed that the Portuguese were much excited at being boarded, and that they would seize the least opportunity to bring any charge against me that they could.

I imagine that this charge was brought as I insisted on having the passes, libertos, &c., produced, though they protested against it, and were very unwilling to do anything I requested.

I have, &c.
(Signed) F. M. OMMANNEY.

No. 200.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *off Lagos, August* 24, 1864.

I HAVE the honour to acknowledge the receipt of their Lordships' letter of the 11th July, 1864. Respecting the Cuban Slave Trade—

2. Their Lordships will observe that Mr. Crawford says, "It is positively stated here that the '*Ciceron*' has again succeeded in landing 1,600 Bozal negroes in this Island" (Cuba).

3. The steamer that so nearly fell into our hands on the 7th May last, off Porto Segura, was supposed to be the "*Ciceron*," and there have been no slaves shipped from the Bights during the present year.

4. I reported to their Lordships that two steamers were in this neighbourhood in March last, the "*Ciceron*" being one of these; since then the Bights have been too well guarded for even a steamer to ship, and hence the probability that one of these at least, finding this to be the case, went South to the Congo, and during the absence of the "Archer" shipped these 1,600 slaves.

5. I was afraid of this at the time; and when the "Archer" was sent away from Ascension to Sierra Leone, felt convinced that something would occur on the South Coast; and their Lordships may remember my anxiety, as expressed in my letter of proceedings from Ascension on this subject.

6. The presence of the "Archer," with her boats, in the Congo would have effectually prevented the shipment of these slaves, and if they were shipped from any other place, the necessity of another cruizer taking the "Archer" station during her absence would have enabled the steamer to take advantage of the opening thus caused.

I have, &c.
(Signed) A P. EARDLEY WILMOT.

No. 201.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *off Lagos, August* 25, 1864.

BY a prize crew belonging to the "Dart"—which came down from Sierra Leone in the "McGregor Laird," and arrived here on the afternoon of the

22nd instant, on their way to Fernando Po—I hear that this cruizer has captured a schooner and brigantine, both empty, one of which has been sent to Sierra Leone and the other to St. Helena, for adjudication.

The schooner was taken on the 7th July, between Cabinda and Banana Point, having Danish colours up when the "Dart" approached, but which were afterwards hauled down. All kinds of flags were on board, including the Confederate.

The brigantine was captured off Mayumba, on the 24th July, having Italian colours flying, but these were afterwrds hauled down, and the captain said he did not claim the protection of any nation.

Both these vessels were equipped for the Slave Trade.

The "Snipe" has, I am told, also taken an empty barque, which has been sent to St. Helena.

A large Italian ship, the "*Ricardo Schmidt*," of nearly 700 tons, has been seized at Sierra Leone, by Lieutenant Dunlop, who brought round the "America" from the Cape of Good Hope.

This ship has been hovering about the coast for the last twenty months, and has frequently offered to run a cargo of slaves, but no one would venture the risk.

When at Accra, in July last, I heard she was suspicious, and after dark, having left the anchorage for the southward, I sent back two cutters, manned and armed, under a Lieutenant, with orders to search her and bring her to Jella Coffee to me if suspicious. The boats did not arrive till the following day, on account, as the Lieutenant states, of a strong current, when the ship had sailed.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 202.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *off Lagos, August* 25, 1864.

I ARRIVED at this anchorage from Whydah and Jakin on the morning of the 21st instant.

The mail from England did not come in till the afternoon of the 22nd. Dr. Crowther and the Commander of the "Sparrow" were on board; the latter joined his ship here, as she was waiting for the mails for the squadron, having left her boats behind at Jakin to guard the station.

The "Investigator" comes out to-morrow, the 26th, and I shall immediately tow her on to the Niger, and prepare her there for the expedition.

It will be necessary for me to supply Lieutenant Knowles with fifty tons of coals, and I have provided everything for the health and comfort of both officers and men.

From the Niger it is my intention to visit the Benin, and endeavour to bring affairs there to some satisfactory conclusion. After this I shall proceed south to the Congo and St. Paul's de Loanda.

I beg to inclose copies of letters I have written to the Governors of the Gold Coast and the Gambia relative to the affairs of those places, which I hope will meet with their Lordships' approval; also copies of instructions, &c., for the guidance of Lieutenant Knowles during the Niger expedition.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 202.

Commodore Wilmot to Governor Sir B. Pine.

Sir, "***Rattlesnake,***" ***off Lagos, August*** 24, 1864.

I HAVE the honour to acknowledge the receipt of your Excellency's despatches of the 29th July, 30th July, 8th August, and 19th August, with extracts from a despatch from the Secretary of State for the Colonies.

2. I thank your Excellency for the expression of your acknowledgment for the performance of the duties confided to me within the limits of your Government. I am sorry that my declining to order a passage for the women to their homes (the West Indies) has been a source of regret to you. These women were not represented to me as being the wives of any of the soldiers that embarked in the "Transport," otherwise the case might have been different, but even then a limited number only could have gone, by the regulations of the service.

3. I asked the non-Commissioned Officer in charge of the detachment on board, in presence of Captain Shortt, Lieutenant Bushell, and the Captain of the "Transport," whether these women were the *bonâ fide* wives of the soldiers, and he replied, "No."

4. It is the custom of women to follow the West Indian Regiments, and they are made a convenience of by the soldiers, under these circumstances. Lieutenant Bushell was not prepared to receive them on board, and both Captain Shortt and myself expressed our concurrence.

5. My authority did not extend to order the passages, as the owners of the "Transport" were paid for each individual man, woman, and child, that embarked.

6. The "Transport" was taken up for the conveyance of a certain number of soldiers, with a proportion of women, their wives, with all expedition to the West Indies, and not for the purpose of affording a passage to any one that might think he or she had a claim to demand it.

7. Whenever a cruizer can be spared from the very important duties confided to my charge, I will direct the Commander to call at Cape Coast Castle, but as the coast is at present infested with slave steamers, and others watching with eagerness for an opportunity to carry off a cargo, I cannot possibly say when I shall be enabled to detach a cruizer for this purpose.

8. As all aggressive movements are now at an end, and the garrison at Cape Coast will be only called upon to defend themselves, I should hope that the presence of a cruizer, taken away as she must be, from most important duties, will not be essentially necessary in the waters round, and in the neighbourhood of Cape Coast Castle.

If the Ashantees advance in great numbers towards Cape Coast Castle, and evince a determination to attack the place, I shall then deem it my duty to afford all the assistance I can, and the Senior Officer of the Bights will have instructions to this effect, on the receipt of intelligence by the regular mail from Cape Coast Castle.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 202.

Commodore Wilmot to Colonel D'Arcy.

Sir, "*Rattlesnake*," *off Lagos, August* 25, 1864.

I HAVE the honour to acknowledge the receipt of your Excellency's letter, with inclosures, dated Bathurst, 5th August, and thank you very much for the information contained therein.

The unanimous decision of the Executive Council as expressed in their opinions given before your Excellency must be very gratifying, and I have no doubt the Government at home will be influenced by it; but I do not think they will sanction any aggressive movement on our part, unless the safety of the colony is actually endangered.

I quite agree that it would be very advisable, such being the case, to allow the French to assume the offensive, even within our territory, for the purpose of punishing the lawless chief and his people.

The feeling of the Government, as shown in the late debates in the House of Commons, seems to be conclusive with regard to a forward movement being made against any of the unfriendly tribes on the West Coast of Africa.

The "Pandora" is ordered to Sierra Leone, and Commander Ruxton will pay a visit to the Gambier at a convenient opportunity.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 3 in No. 202.

Instructions for the Niger Expedition, given to Lieutenant C. G. F. Knowles, commanding the "Investigator," in charge of the Expedition.

1. THE object of the Niger Expedition this year is to communicate with Dr. Baikie, with the view to enable him to return to England in the mail steamer.

2. Having this in view, and showing these instructions to Dr. Baikie, who will doubtless use every endeavour to comply with the wishes of Her Majesty's Government and hasten his departure, after settling his affairs and seeing that the officer left in charge is properly and comfortably located, you will be guided as far as possible by the following extract from their Lordships' despatch to me on this subject:—

3. "My Lords desire that the 'Investigator' should remain as short a time as possible in the river, and that after communicating with Dr. Baikie, she should leave the river with as little delay as possible."

4. While employed on this very important service, I cannot too seriously impress upon you the necessity of paying the greatest attention to the health and comfort of your officers and crew. Inclosed are instructions for you on this head, and you will consult with Dr. Eales, whose experience and knowledge of the African climate will be of essential benefit to you.

5. Parties should never be permitted to remain on shore for the purpose of cutting wood when a tornado is approaching. In this country exposure in wet clothes up the river is certain destruction to a white man.

6. Keep your men in good spirits, by cheerfulness, kindness and attention to their comforts; but at the same time strict obedience in observing the instructions laid down must be maintained amongst them, without which the expedition will fail.

7. You are to make this visit of the "Investigator," as far as you are able, useful for the spreading abroad of Christianity and the development of trade and commerce.

8. In your dealings with the natives strict justice must be enforced, and allowance made for their ignorance of European customs.

9. We cannot expect to civilise heathen nations and bring them to our way of thinking merely by a first visit. The prejudices of centuries have to be overcome, and the customs of their forefathers weaned away. Patience, temper, perseverance, and judgment are the essentials for accomplishing this difficult task, and by God's blessing

the time will come when the efforts of England in the cause of this dark and heathen land will be crowned by great and acknowledged success.

10. The journals of yourself and all the officers are to be forwarded to me for transmission to the Admiralty, by the earliest odportunity after leaving the river.

11. Enclosed are blank forms of Treaties with the natives. Three copies are to be made out, one of which is to be delivered to the King or Chiefs with whom the Treaty is made, and the other two are to be transmitted to me with your letter of proceedings.

12. In the event of any great sickness occurring on board, you are immediately to leave the river, acquainting Dr. Baikie with the facts of the case, and proceed to sea for the benefit of a change.

Given on board Her Majesty's ship "Rattlesnake," off Lagos, 24th August, 1864.

I have, &c.

To C. G. F. Knowles, (Signed) A. P. EARDLEY WILMOT.
Lieutenant Commanding Her Majesty's ship "Investigator,"
In charge of the Niger Expedition.

By command, &c.
(Signed) BERNARD F. MEYER, *pro Sec.*

No. 203.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *off the Niger, August* 30, 1864.

I HAVE to request you will inform their Lordships that the "Investigator" came out from Lagos at noon of Friday the 26th, accompanied by the "Advance," with his Excellency the Lieutenant-Governor on board, whom I received with all honours.

At 3 P.M. of the same day I took the former in tow, and arrived off the Niger at noon of Sunday the 28th, having anchored the previous evening.

As the "Investigator" was very deep with stores, &c., for the Expedition, as well as for Dr. Baikie, I deemed it prudent for her to make two trips into the river. So, having filled up the large boat hired at Lagos for this purpose with fifteen tons of coals, and placed five tons on board besides, Lieutenant Knowles passed safely over the bar at 2·30 P.M. of Monday the 29th. Bishop Crowther, who had been living on board with me, went in with her, accompanied by his two sons.

At daylight of the following morning, Tuesday, Lieutenant Knowles (having landed his coals, and safely deposited his deck-cargo on board the "Manchester," a schooner belonging to the African Company, which has been for some weeks waiting for the expected steamer from England) came out of the river, and having supplied him with seventeen tons of coals in bulk on his upper deck, and completed all his wants, he again safely crossed the bar at 1 P.M. of the same day. The weather has been very bad, with constant rain.

I cannot speak too highly of the anxious desire evinced by this officer for the complete success of the Expedition. I am quite certain that both myself and all his officers will exert themselves in every possible way.

The "Investigator" has been supplied by me with fifty tons of coals altogether.

I have consented to leave Lieutenant H. S. Bourchier, R.M.,L.I., behind, in Dr. Baikie's place, at the earnest solicitation of the Governor of Lagos, and as this young officer was exceedingly anxious to go, and is strong, active, and healthy, I hope their Lordships will approve of my doing so.

Inclosed is copy of the Governor's letter to me, as well as my instructions to Lieutenant Bourchier.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 203.

Instructions for the guidance of Lieutenant H. S. Bourchier, R.M., L.I., on his proceeding to take charge of the English establishment in the River Niger.

HIS Excellency the Lieutenant-Governor of Lagos has been directed by Her Majesty's Government to leave some intelligent and responsible person in the Niger during the absence of Dr. Baikie in England; and having no one at his disposal to place in this highly-important position, he has earnestly solicited me to allow you to remain behind.

As you have volunteered for this service, and expressed your willingness to undertake the duties connected with it, I have no difficulty in granting his request.

The position of Dr. Baikie up the Niger has been one which for several years past has excited the interest and the attention of Her Majesty's Government, and I cannot too strongly impress upon you the great necessity of adopting that line of public conduct which appears to have been so eminently successful on his part.

You will be there as an English officer by yourself, amongst Kings, Chiefs, and tribes that have only lately had the advantages of intercourse with civilized countries, but who have evinced a decided inclination to be on friendly terms with the white man, especially the English.

Many of these are willing to receive the precepts of that religion which above all others teaches man the advantages of civilization, with its attendant benefits of agriculture and commerce.

It will be your duty to point out these advantages to them, and to show that no nation in the world, whether black or white, can possibly attain to anything approaching to happiness or prosperity unless the minds of the inhabitants are turned to the cultivation of the ground, and the products that can be obtained by the labour of man.

The exchange of these commodities which peculiarly belong to different countries is highly beneficial in many ways, and becomes actually necessary as civilization advances.

The climate and soil are different in all parts of the world, and hence the products must be different also. What will grow in Africa will not thrive in the colder regions of the North, and consequently mutual benefits are obtained as friendly intercourse is established.

England's great desire is to promote the happiness and prosperity of Africa by teaching the natives the advantages of commerce, and turning their minds towards a better state of things than at present exists amongst them.

You must use forbearance, temper, judgment, and kindliness of feeling in your dealings with these people, who, on account of their own ignorance and superstition, as well as that of their forefathers, live in a state of moral bondage, and consequently cannot be expected to be emancipated from these evils without much trouble, labour, and time.

You will correspond direct with Her Majesty's Government by every opportunity, as Dr. Baikie has been accustomed to do; and you will, as occasions offer, acquaint me with your movements.

I pray that you may be kept in safety, and that your exertions in the good cause may be crowned with success.

The Government have sent out a great number of articles of different descriptions to Dr. Baikie, for the purpose of paying off his debts and for future contingencies. What is not required for the first of these objects will, I presume, be handed over to you.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 203.

Lieutenant-Governor Glover to Commodore Wilmot.

Sir, *Government House, Lagos, August* 24, 1864.

I HAVE the honour to solicit that you will permit Lieutenant Bourchier, R.M., to accept the post of head of the Niger Expedition during the absence of Dr. Baikie. I have great confidence in Mr. Bourchier's discretion and judgment, and consider him a most fit and suitable person to replace Dr. Baikie, who is about to return in Her Majesty's ship "Investigator." I trust, therefore, that you will not withhold your permission to the above-mentioned officer to accept this post to which I have provisionally appointed him.

Mr. Bourchier will probably be absent from his duties for twelve months. During that period I propose to give him pay at the rate of 380*l.* per annum, which, together with his full pay as Lieutenant, will make his salary about 500*l.* a-year, the same rate of remuneration as that given to Dr. Baikie.

This arrangement, however, is strictly dependent upon Earl Russell's approval.

I have, &c.
(Signed) JOHN H. GLOVER.

No. 204.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," off Lagos.*

IN compliance with their Lordships' direction contained in their letter of the 12th July last, relative to the damages sustained by the French vessel "Leopard," and also as to the report that she had passed into the hands of a slave-dealer, I beg to inclose a statement concerning the damages, &c., from Acting Commander Lang, now in this ship, who was the officer in charge of the party sent to navigate the "Leopard" to Sierra Leone.

With respect to the report that the "Leopard" had passed into the hands of a slave-dealer, I can only again repeat the information which Commander Hoskin gave to me in December of last year. He says, "It may not be irrelevant to mention here that I was informed shortly before quitting the coast by a merchant that the French whaler "Leopard," detained by me in February last, was made over to a slave-dealer at Loanda within two days after her arrival at that place."

I have not been to St. Paul's since December last, and am, therefore, at present unable to afford any further information; but Captain Hoskins is in England, and may, probably, be in possession of additional proofs.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 204.

Commander Lang to Commodore Wilmot.

Sir, "*Rattlesnake*," *Lagos, August* 24, 1864.

IN compliance with your order I have to inform you that :—

1st. With regard to the towing in bad weather. The "Leopard" was never towed against any head sea, and never at a greater rate than five, or possibly six knots an hour.

2ndly. The whole of the steering apparatus was so defective that extra lashings were necessary to strengthen the shackles of the steering chain, and it was not safe to put the helm more than half way over at any time.

3rdly. There was a small leak round the rudder-head when I took charge of the vessel, but it had not increased at all when I gave her up.

4thly. The whole of the fishing lines were quite rotten and only sufficient for one boat, the harpoons were all rusty and blunt, and none of her boats were ever used by us at all.

5thly. The provisions were offered by the master to the men, and when I found out they had been received and offered payment for them, it was refused, and I was told they were given as a present.

Lastly. The state of the vessel as well as of her sails and ropes was so bad that had we met with much rough weather, I am quite convinced that we should never have reached Sierra Leone without some serious accident.

I have, &c.
(Signed) O. T. LANG.

No. 205.

Commodore Wilmot to the Secretary to the Admiralty.

[Slavers, prizes to Her Majesty's ships "Dart" and "Lee," condemned at St. Helena.]

No. 206.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *off the Benin, September* 7, 1864.

I HAVE the honour to inclose copies of correspondence that has passed between myself and the British merchants trading in the Benin River, as well as with the Chiefs of this place, and their Lordships will observe that I have taken upon myself to stop all further trade until the fines imposed are paid.

Inclosure No. 1 was written in consequence of the bad state of the weather, and when I thought it probable that the merchants could not come out.

Copies of all these letters have been left with the British merchants, and I have every reason to believe, and so have they, that this step will have the desired effect, and that the fines will be paid.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 206.

Commodore Wilmot to British Merchants in the Benin River.

Gentlemen, "*Rattlesnake*," *Benin River, September* 7, 1864.

I HAVE arrived here for the purpose of having a personal communication with some of you relative to the affairs of the Benin river, more especially as regards the fine imposed by Governor Freeman in April of last year upon the Chiefs as payment for the losses incurred by Mr. Henry.

I am sorry that I have been unable to see you, and as I cannot remain on this part of the coast any longer, my duties calling me to the South, I have thought it advisable to place on record, for your consideration, my opinion as to the steps necessary to be taken for bringing about a settlement of this question without resorting, at present at any rate, to force for this purpose.

The rains will not cease here for a month, and therefore any operations here in the river would be attended with considerable risk, a great deal of sickness and probably loss of life, without in any way effecting the desired end.

We know that the property of the Chiefs and people of this country is easily removed, and that upon the approach of a ship of war the slaves are employed transporting the goods of their masters into the bush; each one takes something away, and as this does not consist of very much (pots, pans, mats, and stools, with a few canoes forming their principal store) it is not likely they will care for a stray shot or two, or that much real damage will be inflicted.

The money made by trade is expended in slaves, men and women, the overplus being kept safely stowed away with their personal effects, such as cloth, &c., and easily removed.

Her Majesty's Government have therefore suggested, and the Lords Commissioners of the Admiralty have coincided in this opinion, but leaving it to me to adopt what measures I think necessary, that the traders should leave the river and embark on board their ships, refusing all further trade until the Chiefs come to terms and pay the necessary fine.

I quite agree on this opinion, because I am fully convinced that no African King or Chief having once felt the advantages of trade, and received in return those articles from the white man which they value so much, and cannot now do without, will be content to return to the old state of things and give up those luxuries which have been introduced amongst them in exchange for the products of their own country.

The goods sent out by our merchants and brought into this country by the ships of England are as essential to their existence as the daily food upon which we ourselves live. Powder, arms, tobacco, rum, clothes, cowries, salt and sugar, &c., are the chief articles of trade, and these find their way into the interior of the country, being sold again by the Chiefs bordering on the sea, at a very high profit.

Having tasted the enjoyments which these articles produce, and the employment which it gives their people, it is not likely they will remain satisfied without them.

There is no European trade from Benin until you reach the Brass river, a distance of 120 miles, and I do not think that the inland journey by canoe will repay them.

You have no foreigners to compete with here which will materially assist the object in view, as you are more deeply concerned in the settlement of this affair than any one besides can possibly be, I trust you will seriously consider the advisability of the step I have proposed, and take such measures with regard to your property as will ensure its safety while being removed.

You will probably find that the very hint of removal will have a considerable effect, and I should not be surprised if it brings the Chiefs to reason.

A cruizer shall be sent from the Bights whenever I can spare time, for the purpose of blockading the river; should you consent to embark, and after six months we find that the stopping the trade has no effect, I shall then deem it my duty to ask their Lordships for further instructions.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 206.

Commodore Wilmot to the Chiefs and Headmen in the Benin River.

"*Rattlesnake*," *off Benin River, September* 4, 1864.

I AM very sorry to find that the agreement made by you with the Governor of Lagos on the 2nd April of last year, 1863, has not been carried out, and that you have refused to recognize the terms of the compact.

When the Chiefs of Africa give their word and sign their names, promising to do certain things, as they have done in this instance, the agreement made by them becomes binding and sacred; and if the terms of it are not fulfilled, their word is broken, and all confidence in our future dealings with them is destroyed.

Nothing they say, nothing they do, will hereafter be believed, and hence our present and future relations with Benin will be those of doubt, uncertainty, and suspicion.

Shame to the chiefs of Benin that they have brought their country into this disgrace with their best friends the English, who for years past have been trading with them, and introduced into their river every kind of European produce for their use and benefit.

To whom can the chiefs look to for these things, if their friends are obliged to leave the river in consequence of the evil practices carried on by those who should rather protect than plunder them.

The master is answerable for the good behaviour of his servants, so are the chiefs accountable for the conduct of their slaves, and they are bound by every law that should unite nations together in friendly intercourse to see justice done, when robberies are committed and deeds of violence against individuals are perpetrated.

Do the chiefs suppose that lives and property are as unsafe in England as they appear to be in Benin? Would they not consider it very unjust, and as unworthy of a nation that pretends to be in any way civilized, to find their goods taken from them, and themselves beaten and ill-treated without any reason whatsoever? Would they not ask for reparation at the hands of the Government, in whom rests the authority and power to punish? And if this were denied, or a promise given which was afterwards broken, would not the chiefs say, "Here is a country which will not suit us because there seems to be no laws for the protection of life and property. Any one can rob us when he thinks proper, and the people can beat us at their convenience; we will not be friends with this country, neither will we trouble ourselves for their benefit and prosperity.

Is not this the case with the chiefs of Benin? Who will come to their river, if there is no protection given to those when they do come? Let the chiefs seriously consider this, because they must acknowledge that I am speaking to them the words of truth and justice.

If they wish for justice, they must give us justice in return.

A fine of thirty-five puncheons of oil has been inflicted and agreed to on the part of the chiefs in compensation for outrages to English merchants. This is in my opinion a very small fine, but as it has been settled by mutual agreement eighteen months ago, the amount of the fine for this particular purpose will not be altered by me.

Twenty puncheons of oil have also to be paid as a fine by Akuaboa, of Bechy, instead of his being imprisoned at Lagos for one year.

A certain period was given and agreed to for these fines to be paid, but the time has long passed away, and there seems to be no desire on the part of the chiefs to do what they sacredly promised they would do.

What are we to expect from such conduct? Nothing more than untruthfulness and deceit. There is a limit to all dealings with dishonest men, and we have now come to the end of our forbearance.

For the non-payment of the original fine, namely, thirty-five puncheons of oil, as compensation to the merchants, and twenty puncheons as a fine from Akuaboa to the British Government, for his improper conduct, I shall add another fine of thirty puncheons of oil for the non-fulfilment of the agreement entered into.

This will make in all eighty-five puncheons, and if this is not paid in December next, when I return to this river, all trade will be stopped and the British merchants will leave the river with their ships and all their property.

The terms of the Treaty entered into on the 2nd April last year will be again read to you.

When the merchants leave, a strict blockade will be enforced.

I remain, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 3 in No. 206.

Commodore Wilmot to the Chiefs and Headmen in the Benin River.

"*Rattlesnake*," *off the Benin, September* 4, 1864.

I HAVE received information of another outrage committed by the Chief Adjoki at Warree, upon the person of Mr. Kineson, Agent to Messrs. J. Harrison and Co.

This outrage seems to me as serious, if not more so, as any that have yet been perpetrated by the Chiefs and people of Benin.

What do the Chiefs mean by this conduct? Do they wish to show that the "white man" can never live on friendly terms with them, and are they aware that the reports of such atrocities spread abroad in Europe will deter any other white man from coming amongst them, whether he be French, German, Spanish, or Portuguese?

I shall most carefully as well as impartially inquire into this case, and Adjoké, if in the wrong, must be prepared to make large atonement for such a gross violation of all laws between persons living on friendly terms with each other.

I remain, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 4 in No. 206.

Commodore Wilmot to the British Merchants in the Benin River.

Gentlemen, "*Rattlesnake*," *off the Benin, September* 7, 1864.

THE Chiefs of Benin have refused to receive the message embodied in a letter and brought into the river the day before yesterday by four officers of the "Rattlesnake," which I have thought it necessary as the Representative of Her Majesty's Government to send to them, in consequence of the non-payment of the fine imposed upon them by the Government of Lagos in April of last year, 1863, which fine was agreed to on their parts, and bears their signature.

The Chiefs have received information that it was my intention to communicate with them by some of the officers of this ship, and therefore ample warning has been given them.

The conduct of the Chiefs on this occasion is consequently highly offensive and insulting towards the Representative of the British Government, and shows a disinclination on their part to acknowledge the agreement made with the Governor of Lagos.

My message to them is framed in a spirit of forbearance and conciliation, and points out the justice of our claims; but the time is now come to adopt those measures which have been recommended by Her Majesty's Government, and which have my decided as well as your own concurrence.

In the name, therefore, of Her Majesty's Government, I desire that all further trade be stopped between the British merchants and the Chiefs and natives in the Benin river until the fines imposed are paid.

Not a pint of oil is to be bought; neither are goods of any kind to be sold by you, but all outstanding debts are to be paid to the natives, and strict justice pursued.

You will use every endeavour, by persuasion and friendly intercourse, to point out to the Chiefs the position in which they have placed themselves, and will continue to place themselves, by their improper conduct in this affair, and that most assuredly Her Majesty's Government will exact a very heavy retribution if any further outrages are committed and violence is used against the persons of the British traders.

In the event of the fines being paid, or if any satisfactory terms are made on the part of the Chiefs which in your opinion will bring this question to a desirable end, you have my authority to re-open the trade or such part of it as you think proper. The question of re-opening the trade is to be settled by a majority of votes.

I shall return to this river at the end of December next, and most sincerely hope that you will have succeeded by that time in re-establishing a friendly spirit of trade, and in restoring mutual good feeling and confidence with each other.

Should you be apprehensive of personal violence, or if any attempt is made by the natives to plunder your stores, I should recommend you to dispatch a vessel at once to Whydah, where a cruiser is stationed, and upon showing this extract of my letter to you, the Commander will, doubtless, immediately communicate with the senior officer, who will afford you the necessary protection.

A copy of this letter will be sent to Her Majesty's Government.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 207.

Captain Chapman to Admiral Sir M. Seymour.

"*Ariel*," *at Sea, Lat.* 120° *N., Long.* 18° 56′ *W.*,
October 15, 1864.

Sir,

I HAVE the honour to forward, for your information, a copy of a letter, and its inclosure, received from his Excellency the Governor of Sierra Leone on the eve of my sailing for England, and beg to inform you that as I considered the intelligence of great importance, and as there was no man-of-war on that station, nor any expected for some weeks, and as it would not cause a delay of more than three days, I anchored off Isle de Los, procured pilots, and anchoring the ship off the mouth of the Dubreeka River, proceeded with three boats to search the Dig Dega, Komy Bomby Island, as also the mouths of the River Bramiah and Dubreeka,

Although, I regret to say, I was not successful in finding the vessel, I feel convinced that the information was correct, and, moreover, am inclined to believe that the brother of S. King (the informant), who is Chief of the Dubreeka River, and is also, I believe, in the receipt of a certain sum annually from Her Majesty's Government, has been conniving at the collection of slaves in his neighbourhood, and has also received a bribe to keep quiet. After visiting the town of Carpara, where I saw him, but could gain no further information, I returned on the Thursday to the ship, and after landing the pilots, as also a letter for his Excellency the Governor, with information for the first man-of-war arriving, proceeded on my voyage.

I beg also to state that information of the same nature was received by Mr. Leetham, Master commanding Her Majesty's depôt, Senior Naval Officer at Sierra Leone, who on my arrival made me acquainted with the same.

I have, &c.
(Signed) W. C. CHAPMAN.

Inclosure 1 in No. 207.

Governor Blackall to Captain Chapman.

Sir, *Government House, Sierra Leone, October* 7, 1864.

I THINK it right to enclose to you a letter which I have received professing to give information of a vessel supposed to be engaged in the Slave Trade in the Bramah River, near the Isles de Los.

There is no Cruizer on this Northern Division at present, and as I understand you are about to proceed to England, it will, I think, be advisable that you should visit this river, as it will not much delay you upon your voyage.

I have, &c.
(Signed) SAM. W. BLACKALL.

Inclosure 2 in No. 207.

Mr. King to Mr. Nicol.

Sir, *Dubruka River, September* 29, 1864.

I BEG to inform you that not above three weeks since, a Spanish supercargo visited this river with a large quantity of doubloons for slaves, by name "Valentine," direct from Sierra Leone, in a fishing boat. He is now in the Brimiah, buying away slaves very fast; he took away seven slaves from this river. He is the very party who has been in the Brimiah about two years ago, and got away from the men-of-war. We are told he has a vessel outside, between this and the Menez, dodging and watching narrowly, and we are told also that the vessel is hid in a creek called "Dig Diga," in the "Korny Bombo" Islands, near the mouth of the Brimiah River, close in shore. I had a long conversation with the supercargo, Mr. Valentine. We attempted to stop him here till we should send to Sierra Leone. Finding this out, he left with us 800 dollars as a pledge that he would come back here again, but as the time he gave is near expired we have very little hope of his coming back here again. Some of the people here say the vessel is three-masted; they must have seen her outside or hid in some dark corner in some of the creeks. Unless the men-of-war come now he will get away with some hundreds of slaves.

I have, &c.
(Signed) E. KING.

P.S.—Mr. Valentine is a short little man. I am told that he has some Sierra Leone boys for his boatmen, along with some Spanish seamen.

No. 208.

Lieutenant Dunlop to the Secretary to the Admiralty.

Sir, "*Asp,*" *November* 17, 1864.

IN compliance with their Lordships' directions dated 7th October, I have the honour to inclose a copy of the judgment given in the Vice-Admiralty Court of Sierra Leone in the case of the Italian vessel "*Ricarda Schmidt.*"

I have also to state that owing to the delay of the lawyers in sending home certain papers to which I wished to refer, I am as yet unable to state anything with certainty in reference to the papers from the Italian Minister shown to me by Sir Frederick Grey.

I have, &c.
(Signed) M. J. DUNLOP.

Inclosure in No. 208.

Judgment in the case of the vessel "Ricardo Schmidt."

In the Vice-Admiralty Court of Sierra Leone.

ON Monday the twenty-sixth day of September, in the year of our Lord one thousand eight hundred and sixty-four, Our Sovereign Lady the Queen, against the ship or vessel called the "*Ricardo Schmidt*," whereof Bartolomio Casanova was master, her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same taken and seized by Martin Julius Dunlop, Esq., a Lieutenant in Her Majesty's Navy, and against all persons in general, having or pretending to have any right, title, or interest therein, and against Bartolomio Casanova intervening and claiming the said ship and cargo.

HORATIO JAMES HUGGINS, Advocate for Our Sovereign Lady the Queen, prayed the Judge to reject the claim of Bartolomio Casanova, given on behalf of himself and Gerolanio Gambolatu and Edward George Schmidt for the said ship and cargo, and to pronounce that he the said Horatio James Huggins had fully proved the contents of the libel by him given in and admitted in this cause on behalf of Our Sovereign Lady the Queen, and the said ship or vessel the "*Ricardo Schmidt*," to have been at the time of the seizure thereof, fitted out and equipped for and employed in the African Slave Trade, contrary to the Statute 5 George, 4, cap. 113, and that the said ship or vessel the "*Ricardo Schmidt*," her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same, is subject and liable to forfeiture to our Sovereign Lady the Queen, and to condemn he same accordingly. And William Rainy Proctor prayed the claim by him given to be admitted, and the said hip or vessel the "*Ricardo Schmidt*," and her tackle and apparel and furniture, and the goods, wares, and merchandize on board the same, to be restored as claimed, and on behalf of the said Bartolomio Casanova, the master of the said ship or vessel, prayed the Judge to pronounce that the said Horatio James Huggins had failed in proof of the said libel, and that the said William Rainy had fully proved the contents of the allegation bearing date the 3rd day of September, 1864, by him given in and admitted in this Cause on behalf of his said party, and to dismiss his said party, from the monition served upon him, and from all further observance of justice in this cause. And to condemn the said Martin Julius Dunlop, Esq., a Lieutenant in Her Majesty's Navy, the seizor in all costs, losses, damages, demurrage, and expenses as have arisen or may arise by reason of the said seizure, and in the costs of suit.

The Judge, having heard the proofs read, and Advocates and Proctors on both sides, admitted the said Bartolonio Casanova, and pronounced that the said Martin Julius Dunlop had failed in proof of the contents of the said libel given in and admitted in this cause on behalf of our Sovereign Lady the Queen, and by Interlocutory Decree, decreed the said ship or vessel the "*Ricardo Schmidt*," her tackle, apparel, and furniture, and the goods, wares, and merchandize on board the same to be restored to the said claimant Bartolomio Casanova, for his use and benefit, but without damages and costs.

These are to certify that the foregoing is a just and true copy of the original Decree made in the case of the "Ship or Vessel the '*Ricardo Schmidt*,' whereof Bartolomio Casanova was master," as appears by the records of the said Court.

In faith and testimony whereof I have hereunto set my hand and affixed the Seal of the Vice Admiralty Court of Sierra Leone, this twenty-sixth day of September, one thousand eight hundred and sixty-four.

(Signed) THOMAS MARSTON, *Registrar*.

No. 209.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *at St. Helena, October* 24, 1864.

I HAVE the honour to inclose Commander Battiscombe's report of the boarding of the "*Tani*," sent in to me before my order calling for an explanation, had arrived.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 209.

Lieutenant Shuckburgh to Commander Battiscombe.

Sir, "*Snipe*," *at Sea, February* 20, 1864.

I BEG to state that in latitude 1° 47′ south, longitude 13° 21′ east, I boarded a stranger under Portuguese colours, which proved to be the mail-steamer "Zaire," bound from St. Paul's de Loando to Fish Bay. On my arrival on board I offered a copy of the Slave Treaty to the captain of the vessel, who declined receiving it, stating that he did not understand the English language.

2. On her proving to be the "Zaire," I expressed to the Captain my regret (in your name) that she should have been detained, at the same time explaining to him that you were not aware of her being the mail-steamer, on which he appeared perfectly satisfied, and expressed himself so through one of the passengers.

I have, &c.

(Signed) W. C. SHUCKBURGH.

No. 210.

Commander Perry to Commodore Wilmot.

Sir, *"Griffon," at Ambrizette, February* 8, 1864.

I HAVE the honour to inform you that at daylight on the morning of 8th February, Her Majesty's ship under my command being at anchor off Ambrizette, a brigantine was observed standing in for the land to the northward. I immediately weighed and chased under steam and sail.

At 11·30 A.M. I came up with and boarded and detained chase, which proved to be a brigantine of about 200 tons without name, papers, or colours, and fully equipped for the Slave Trade.

I therefore despatched her under the charge of Lieutenant E. D. Acklom of this ship to St. Helena, for adjudication.

I have reason to believe the detained brigantine to be the "*Venus*," which vessel was detained and taken to Loanda by Her Majesty's ship "Antelope" in February 1863, but was there liberated by decision of Mixed Commission Court.

I believe that on this last voyage she cleared out from Cadiz in November last, and was to have shipped her slaves at Bahia Fonta.

The capture was not effected in consequence of any information furnished from the Foreign Office.

I have, &c.
(Signed) J. L. PERRY.

No. 211.

Commander Battiscombe to Commodore Wilmot.

Sir, *"Snipe," off Longo, July* 6, 1864.

I HAVE the honour to inform you that the boats of Her Majesty's ship under my command, whilst away cruising off Longo, in charge of Lieutenant Shuckburgh, on the 1st July, captured a barque, name and nation unknown, and fully equipped for the Slave Trade, in latitude 3·54 east, longitude 10·45 east.

2. She had no papers or colours, and I have this day sent her to St. Helena for adjudication, in charge of Lieutenant Shuckburgh and a prize crew of twelve men.

3. This capture was not effected in consequence of information from the Foreign Office, either directly or indirectly.

I have, &c.
(Signed) A. BATTISCOMBE.

No. 212.

Commander Richards to Commodore Wilmot.

Sir, *"Dart," off Vista, River Congo, July* 7, 1864.

I HAVE the honour to report that I this day, off Vista, in the River Congo, captured a schooner without name, papers, or colours, fully equipped for the Slave Trade. I have sent her to St. Helena for adjudication, in charge of Lieutenant Colin M. Dundas of Her Majesty's sloop, with a crew of six men.

2. She left the Havana on the 7th April, and ran into Vista last night, when the captain landed.

3. The vessel, when captured, was in charge of the mate, who states her name to be the "*Belle*," of 100 tons; and that she has, until recently, been employed in running cargoes of cotton between the Confederate States and the Havana.

4. I have to state in compliance with Articles 12 and 35 of the Station Order Book, that the capture was not effected through any information received from the Foreign Office, either directly or indirectly.

5. The mate, who is apparently an American, states that he does not think it is the Captain's first voyage in the Slave Trade, but that the vessel has never been on the coast of Africa before.

6. The crew of five men are European.

I have, &c.
(Signed) FRED. RICHARDS.

No. 213.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *at St. Helena, October* 24, 1864.

I AM sorry to report to their Lordships that I have every reason to believe that the Slave Trade is carried on from the following places, which are under the supervision of the Province of Benguella, viz.:—Benguella Velha, Novo Redondo, Lucira, Equimina, and Catara. The last-named place is situated six miles to the southward of Cape St. Mary's.

2. When at Little Fish Bay the other day, I received information from the Governor that the "*Myra*," American brigantine, then at anchor in the bay, employed for the last twelve months in the whale trade, had been sold by the captain to a Portuguese merchant at Equimina, for the purpose of carrying away a cargo of slaves, and that launches had left the bay for Equimina, to assist in the shipment.

3. The Governor said that the "*Myra*" would sail at a certain hour, which she did, and recommended my watching her movements.

4. I left the anchorage the following evening, and steamed up the coast, looking into Catara, and anchoring in Elephant Bay, which is only five miles from Equimina, where I remained for two days.

5. I then steamed slowly by Equimina and observed the launches, but not being able to remain any longer, I returned to Little Fish Bay without meeting with the brigantine.

6. It is highly probable that my movements will deter the "*Myra*" from shipping, at present at any rate, and as the "Jaseur" and "Sa da Bandeira" are coming down to the southward, I trust the design of the Portuguese merchant will be completely frustrated.

7. I hope their Lordships will report the subject of this letter to the Portuguese Minister, because the Governor of Benguella stands alone upon the South Coast as the encourager of the Slave Trade and the sharer of its profits.

8. A boat with a Portuguese came on board the "Rattlesnake" from Equimina, when we were at anchor in Elephant Bay, and reported that slaves were there in great numbers, shackled and ready for shipment.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 214.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) "*Rattlesnake*," *at St. Helena, October* 25, 1864.

I ARRIVED at St. Paul de Loanda on the morning of the 23rd September, the usual salutes passing between the two flags.

Nothing can exceed the kindness and attention of the Governor-General, who is most strict and conscientious in everything connected with the Slave Trade, as far as he is able, in the territory under him.

Their Lordships will be pleased to hear that we are upon the best possible terms of friendship and good feeling, and that his Excellency, upon dining with me on board, expressed himself most warmly on the subject.

After completing with coal and inspecting the coal and provision depôt, I left Loanda on the afternoon of the 8th October, for Little Fish Bay, where I arrived on the 11th instant about noon.

I saluted the Portuguese flag, which was returned, and immediately afterwards the Governor came on board, when we had a most friendly and confidential meeting upon matters chiefly connected with the Slave Trade.

The Colony of Mossamedes is rapidly increasing in size and importance, and there are many establishments in the country, owned by Portuguese colonists, who farm the land, which produces excellent potatoes of every kind, very good beef and vegetables, also calavances of the finest quality, and the sugar-cane, from which very large quantities of aguardente are made and exported to the various places on the coast.

Abundance of cotton is grown of a good quality, and I have no doubt that in a

few years, if the succeeding Governors possess the same intelligence, administrative capacity, and desire to improve, as the present one exhibits on all occasions, Little Fish Bay will become a most important Colony of the Portuguese Crown.

There is no Slave Trade carried on here, and all the authorities are against it, being firmly convinced that legitimate trade cannot be carried on successfully at the same time.

The natives themselves are quite aware of this; and in consequence of being well fed and well treated, they work most lustily and cheerfully on their masters' farms; and hence the success which attends their efforts.

No. 215.

Commander Richards to Commodore Wilmot.

Sir, "*Dart*," *St. Paul de Loanda, February* 9, 1864.

IN reply to your memorandum dated the 21st November 1863, desiring (with reference to a complaint made by me that the British Vice-Consul at Porto Praya, omitted to wait upon me on my arrival), that I should report for the information of their Lordships whether I notified my arrival in writing to that officer.

2. I have the honour to state that I did not notify my arrival in writing to that officer, because I did not think it necessary under the circumstances so to do. But when about to sail, and requiring information, I notified to him that I had arrived three days previously, a fact of which he could not have been ignorant, as he sent a man of the name of Bilbert on board on the ship's arrival, to whom particulars were furnished at his request; besides which I had occasion to write to him on another subject.

3. Mr. Oliveira's mode of replying to my letter, I considered called for a rejoinder.

4. I beg, however, to state that the extract from my letter of proceedings to Commander Wildman, a copy of which I have the honour to inclose, together with the correspondence bearing on the subject, was not intended as a complaint that Her Majesty's Vice-Consul omitted to wait upon me; but, as it states, to show that I was not able to obtain any information on the subject of the Slave Trade from that officer.

I have, &c.
(Signed) FREDK. H. RICHARDS.

No. 216.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *St. Helena, October* 29, 1864.

I HAVE directed that the masters and crews of captured slavers be detained on board the captors for the purpose of finding out their nationality and delivering them over to the Government to which they belong.

2. It is the practice to land the master and others who form the crew of a captured slaver at the nearest convenient spot, for the purpose of getting rid of them, and they are thus enabled to resume at pleasure their former occupation and make fresh bargains with the slave-dealers for future services.

3. If their Lordships are pleased to sanction this step we shall place the dealers and others concerned in this Traffic in a very uncertain position, because they will experience great difficulty in obtaining a proper master and crew for their vessels; as not only will there be a scarcity of masters and seamen in consequence of those captured being sent out of the country and punished for their offences, but because they will be afraid to risk their lives and liberty, knowing that, if captured, they will be handed over to be dealt with by their own Government.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 217.

Lieutenant-Commander Knowles to the Secretary to the Admiralty.

Sir, "*Investigator*," *Lagos, October* 22, 1864.

IN compliance with instructions from the Commodore commanding, I have the honour herewith to transmit a duplicate of my journal, letter of proceeding, and other correspondence relative to the Niger expedition, from which Her Majesty's ship under my command has just returned.

I am, &c.

(Signed) CHARLES G. F. KNOWLES.

Inclosure 1 in No. 217.

Lieutenant-Commander Knowles to Commodore Wilmot.

Sir, "*Investigator*," *Lagos, October* 22, 1864.

I HAVE the honour to acquaint you that, in compliance with your orders, having completed the necessary preparations for the Niger Expedition, I crossed the bar of the Nun at 1 P.M. of the 30th August, and anchored off Trotter Point, close to the intended site of the West African Company's factory.

Having landed ten tons of coal for my return passage to Lagos, I weighed at 11·30 A.M. on the 31st, and steamed up the Niger, through Louis Creek, anchoring again at 7 P.M., having made 24 miles.

On the 1st September weighed and proceeded up the river, anchoring again in the evening, as before. During this day and the next we passed the villages marked hostile in the chart, none of which showed any signs of an unfriendly disposition. At 1 P.M. of the 3rd September we stopped off Abo to communicate with the Chief, weighing again at 1·45 P.M. At 2·15 P.M. of the 4th September arrived at Onitsha, where we remained twenty-one hours to enable Bishop Crowther to make some arrangements relative to the mission, and also to collect firewood.

Weighed and proceeded up the river at 11 A.M. on the 5th September, anchoring, as usual, in the evening. Arrived off Iddah at 3 P.M. of the 6th, and sent a message to the Attah, by Bishop Crowther, that on my return I hoped to be able to wait on him personally. I then proceeded up the river until dusk. Arrived at Gbebe at 2·20 P.M. on the 7th September, and landed Bishop Crowther with his suite and baggage. Proceeded to Lukoja on the morning of the 8th September, where we found Dr. Baikie, who was in good health, and the Settlement also in a satisfactory condition. The intelligence of Lieutenant Bedford's death was unfortunately too true, he having died at this place on the 22nd February last, from (I am informed by Dr. Baikie) disease of the brain.

We remained at Lukoja until the morning of the 12th September, to enable Dr. Baikie to prepare for his final visit to Bida, when we weighed and proceeded up the Kwóra, leaving the cargo-boat with three tons moored off the landing-place. On the morning of the 13th September I landed and communicated with the Adămărāki, or Chief of Budon, to inform him that the object of our visit was to communicate with King Māsăba, of Bida. A messenger who had been despatched from Lukoja for this purpose had not arrived, and the Chief sent another up to Māsăba at once.

Proceeded up the river at 10·20 A.M., and arrived off the town of Egga at 4·30 P.M.; but not being able to procure any wood, steamed out of the creek and anchored in the main river for the night.

During our passage from the mouth of the river to Egga we only touched the ground two or three times, very slightly, and that only for a few moments; no other casualty occurred, and the health of the men continued good.

Weighed at daylight of the 14th September, and proceeded up the river towards Ekpăji (marked Fopo in the chart); about a mile and a-half beyond this village, the river leading to Wūnage, about 8 miles from Bida, falls into the main stream. Our late second master, Mr. W. A. Adlam, who traversed this creek with Lieutenant Gambier, in a boat, during last year's expedition, having pronounced it navigable for vessels of the "Investigator" class, I determined to proceed to Wūnagi in the ship, and accordingly entered the river, at 6·55 A.M. (the native name of this is Tchautshigga). So far from its being navigable, at least for vessels of the "Investigator's" length, it is most intricate and tortuous; there being no less than 115 bends, with their corresponding reaches, over a distance of 20 miles, in a straight line. We grounded several times, and did not arrive at Wūnagi until 10·50 A.M. of the 16th, but fortunately without any damage to the vessel's hull or machinery.

The river is in some places 80 yards wide, at others not more than 20. There is in most places plenty of water on the deep side of the river; but the greatest difficulty was experienced in turning so long a ship as the "Investigator" round the sharp bends, and this against a current averaging two knots an hour. I have no doubt, however, that a shorter vessel, with a powerful steering apparatus, would be adapted to the navigation of this river.

A messenger having been despatched to Bida to acquaint King Māsăba of our arrival, horses and an escort were sent down on the afternoon of the 17th September, and I proceeded with Dr. Baikie, Lieutenant Bourchier, R.M.L.I., and several of the officers to Bida.

I remained there until the evening of the 26th, during which time we had several very satisfactory interviews with the King, which I have enlarged upon in the journal I have now the honour to inclose.

Lieutenant Sandys, in compliance with orders I had left with him previously to my departure, having observed that the water in the river was falling, left Wūnagi on the morning of the 22nd September, arriving at Egga on the morning of the 24th, having experienced only a little less difficulty in the passage down than we did in the passage up.

On the evening of the 26th September I left Bida, accompanied by Lieutenant Bourchier, who had been for some days seriously ill with fever, and returned to Wūnagi, leaving Dr. Baikie behind to complete some final arrangements. I left Wūnagi in my gig at 7 A.M. of the 27th September, and arrived at Egga at 6·30 P.M. of the same day, finding, to my great satisfaction, that the officers and men were in excellent health, and the ship had sustained no damage. I observed on my passage down that the water had fallen 4 or 5 feet in the creek.

Dr. Baikie returned to the ship on the afternoon of the 29th September; and having procured a sufficiency

of firewood, we steamed out of the creek and anchored in the main river for the night. On the 30th September communicated with the Chief of Budon, on passing, and anchored off Sukōfa at 5·40 P.M.

Dr. Baikie having informed me that there was a Chief, some distance up the Binue, to whom it was desirable Lieutenant Bourchier should be introduced, I weighed at 6 A.M on the 4th October, and proceeded up that river, about 30 miles, as far as Yīmŭhā. Having communicated with the King, we returned to Lukója on the afternoon of the 5th.

From the 5th to the 13th we remained at Lukója to enable Dr. Baikie to prepare for his return to England, and transfer the government of the settlement to Lieutenant Bourchier, who by this time had recovered his health. Dr. Baikie, Dr. Eales, and myself, however, not deeming it advisable to leave Lieutenant Bourchier for a year, in a strange country, without a companion, decided on accepting the offer of Mr. Thos. V. Robins, an artist who had accompanied the expedition, to remain at Lukója and assist Lieutenant Bourchier in the management of the settlement. They were properly and comfortably located and in good health and spirits when we left.

I am satisfied from personal observation that it would have been impossible for Dr. Baikie to have completed the arrangements for his departure in a shorter space of time.

The crew continued in excellent health, with the exception of myself and Mr. Mather, Engineer, who had a severe attack of dysentery.

On the morning of the 13th we steamed down the Confluence to Gbebe, where we re-embarked Bishop Crowther and suite, and filled up with wood, and having had an interview with the Chief and explained my reason for not seeing him on our passage up the river, we proceeded down the Kwóra on the 14th, communicated *en route* with a powerful and independent Chief on Shuter Island, who commands the passage up the river, and arrived at Idá the same evening. The next morning (15th) as I was too unwell to land, Lieutenant Sandys, accompanied by Dr. Baikie and Bishop Crowther, had a very satisfactory interview with the Attá of Igára, the details of which I have the honour to inclose.

On the return of the deputation we weighed and proceeded down the river until sunset. Arrived at Onitsha at 11·42 A.M. of the 16th. Bishop Crowther held an ordination service at the Mission, and Lieutenant Sandys had an interview with the King. Completed wood and left at 7 A.M. of the 17th for Abo, where we arrived at noon. I landed with Bishop Crowther and Dr. Baikie to communicate with the King; but some difficulties having arisen between him and the Chief Ishúkuma, I returned and received Ishúkuma and a messenger from the King on board the ship. The details of the interview I have enlarged upon in my journal: there exists a jealousy between the King and Chief, arising out of the plunder of Laird's factory; but I trust that our conversation will lead to satisfactory resulta.

Having given presents to Ishúkuma, and also to the messenger from the King, we proceeded down the river, anchoring below the Agberi villages for the night. Weighed at daylight on the 18th, and arrived at the mouth of the Nun at 4·55 P.M., having been forty-nine days in the river: all the officers and crew in good health.

The river below Mitsha had only fallen a few inches, and was much higher than on our passage up.

The new factory above Akássa had been erected in our absence by Captain Derecourt and the crew of the "Manchester."

Having coaled, we dropped down to the mission house at Akássa on the morning of the 19th, landed Bishop Crowther and Dr. Baikie, and completed wood and proceeded out over the bar at 5 P.M. of the same day. Crossed it safely without a break, and shaped a course for Lagos, off which place we arrived at 3 P.M. of the 21st, but were not able to cross the bar until the next day, as some slight repairs were necessary to the engines. These being completed, we steamed in over Lagos bar at 10 A.M. of the 22nd, and anchored in the river at 11 A.M., having been absent on the expedition fifty-seven days.

I have, &c.
(Signed) CHARLES G. F. KNOWLES.

Inclosure 2 in No. 217.

Lieutenant-Commander Knowles to Commodore Wilmot.

"*Investigator*," *Lagos, October* 22, 1864.

Sir,

I HAVE to acquaint you that while on a visit to the city of Bida, in Central Africa, during my recent expedition up the River Kwóra, Masaba, King of Nupe, entrusted the following presents to my care for Her Majesty the Queen, viz.:—One circular mat, native manufacture; one four-horned ram from Bornou, in Central Africa (a great rarity); one silk cloth, native article of dress.

The mat and silk cloth I will forward by the earliest opportunity, but I would venture to suggest that the summer season would be the best time to send the ram to England.

I have, &c.
(Signed) CHARLES G. F. KNOWLES.

Inclosure 3 in No. 217.

Bishop Crowther to Lieutenant-Commander Knowles.

Church Missionary House, Akassa, River Nun, October 18, 1864.

My dear Sir,

PERMIT me to acknowledge my warmest thanks, both to yourself and officers, for your kind and gentlemanly conduct to me and to all those who composed my party for the mission whom you took up the Niger in the "Investigator," under your command.

The care taken of us and the attention paid to our wants were by far more than we had a right to expect. Our feelings and sense of this are more than what can be expressed in words.

Having for many years been connected with nearly all the ships which had ascended the Niger, I cannot suppress the fact, from personal knowledge and experience, that this visit of the "Investigator" under your command, has produced in the minds of the Native Chiefs who have been visited, more confidence and friendly feelings towards the English nation than has been witnessed for a long time. When I say this, I do not mean to say there was any lack of energy, zeal, or spirit of enterprize on the parts of former visitors,—no; but perhaps

the success of this visit under your command may have resulted from studying native characters and meeting their mode of thinking and transacting business, as far as you knew they were not unreasonable, between one Power and another, who have a different mode of thinking and of doing things. In this way you had the opportunity, not only of conferring with them, but also of making good impressions, which influenced them to make voluntary promises of good conduct hereafter, which could not have been obtained from them under other circumstances.

I beg to close this with my best wishes that the like success may attend you and your officers' future commissions whenever you may be called upon to undertake them.

I have, &c.
(Signed) S. A. CROWTHER.

Inclosure 4 in No. 217.

Dr. Baikie to Lieutenant-Commander Knowles.

Sir, *"Investigator," Mouth of the River Nun, October* 6, 1864.

ALLOW me on our arrival at the mouth of the Niger to offer to you my warmest thanks for the great and constant assistance you have rendered to me in completing the object of my mission and preparing for my voyage home, as well as for the great personal kindness and attention I have received from you, and from all your officers, without exception.

Permit me also to thank through you, your officers and crew, for their kindness and forbearance to my numerous and often noisy followers, and I am sure we can never be forgetful of the very considerate manner in which we have all been treated on board your ship. I cannot conclude without congratulating you on your very successful voyage, on the numerous important objects you have accomplished, on your excellent regulations for your ship, and on your happy method of meeting and dealing with the Chiefs and natives of the various countries you have visited.

I am sure none of the recent voyages up this river will be longer held in remembrance than that of 1864; and I feel equally certain that your re-appearance up the Niger would be hailed with joy by numbers.

I am, &c.
(Signed) W. BALFOUR BAIKIE,
Late in charge of the Niger Expedition.

No. 218.

Commander Ruxton to the Secretary to the Admiralty.

Sir, *"Pandora," at Sea, Latitude* 10° 14′ *N., Longitude* 15° 3′ *W., November* 19, 1864.

I HAVE the honour to inform you that on my arrival at the Isles de Los I received information that the slave-schooner that escaped from the Bremiah River had returned to the coast, probably for the purpose of picking up the slaves, boat, and supercargo.

On my arrival at the Nunez I heard that she had run into the Componee River.

The Head Chief of the Nunez, Yurrah by name, residing at Yukabelli, acknowledged that he had shipped seventy slaves in her, and that she was gone to the Bremiah for more, that they hid in the Componee till the coast is clear for men-of-war.

I heard also, that being short-handed from the supercargo and boat being absent, the captain had got some of the slaves on deck to assist, when they suddenly rose, killed him and two of the crew, and escaped to the shore.

At daylight on the 17th I weighed and went into the Componee as far as it was possible to take the ship, and despatched the boats in search of the schooner.

I beg to inclose a copy of my instructions to Mr. Edwards, second master, and his report of the destruction of the vessel.

I have great satisfaction in doing this, as the ship and boats have been in chase of her for three weeks.

I hope to be able to give an equally good account of her consort, which I have reason to believe is expected.

I have, &c.
(Signed) W. F. RUXTON.

No. 219.

Commander Ruxton to the Secretary to the Admiralty.

"Pandora," at Sea, Latitude 10° 59′ N., Longitude 15° 50′ W., November 20, 1864.

Sir,

I HAVE the honour to inform you that, having obtained information from Mr. Consey, a British subject residing at Repase, on the Nunez river, that the slaves from the schooner were in the country of Yurrah, Head Chief of that river, I proceeded to his town with the boats of this ship, and endeavoured to make him give up the people to me.

He refused, stating "that accident had brought them back to him; that I had not caught them; that they were a long way off, and some of his people who had them would not give them up; that he was not an English subject or bound by our laws; and that he had given some of them "free books," and by country law, having come on his coast, they were his.

As I was not certain that I had a right to them I did not use any threats, which, had I done, I must have carried out. The King Yurrah, however, said, "It is true you can burn my town, but that will not get the slaves. I will go into the bush and destroy all the factories in the river; besides," said he, "it would cost me a great deal of money to get them together."

I made him promise to come next morning to the factory of M. Sainton, which he did. Acting on his words of the evening before, I told him that the sole object of the British Government was to remove the people from a state of slavery, and offered him 200 dollars for his expenses to bring in the people. He said he had given them (passed his word) and he could not take them back.

I firmly believe not more than ten of the slaves would had accompanied me back to the ship.

Taking everything into consideration, I judged that Her Majesty's Government would not consider that I was right in using force, especially as it was uncertain if I should be able to carry my point further than destroying a town, stopping all the trade of the river, and rendering more miserable a few miserable wretches.

I endeavoured to point out to him that selling his people would not pay him as well as making them work, and told him to seize the next vessel and cargo and send to Sierra Leone to the Governor. He replied, "May I keep goods and doubloons?" I said certainly, and that argument did have some effect.

I settled some small difficulties about debts, &c., and took the Chief over to his town in our boats. We parted good friends.

I offered to take the Spanish crew to the Gambia if they would give themselves up. I did so from motives of humanity, as one poor creature had died the evening before; but they were afraid, and I had no time to spare. Yurrah promised to send them to Bissao and to give them some money.

I hope my proceedings on this occasion may meet with your approbation, and though I failed in obtaining the slaves, I did not in any way compromise the flag under which I have the honour to serve, and I am quite certain the presence of the ships and boats in the river was productive of good to our traders, as well as useful for the great end of putting a stop to the Slave Trade.

It is with great pleasure I have to bring to your notice the undeviating good conduct of the boats' crews of this ship.

For the last three weeks they have been constantly toiling at the oars for ten or twelve hours a day, with intense heat by day and tornadoes at night, during which time we have ascended the Mellacoree, Nunez, and Componee Rivers, and as far up the Rio Tongas, Dobreeka, and Bremiah as a boat would float.

It is satisfactory to add that we have but two slight cases of fever.

I have, &c.

(Signed) W. F. RUXTON.

Inclosure 1 in No. 219.

Orders addressed to Mr. Edwards.

"Pandora," off Componee Bar, November 17, 1864.

Memo.

IT is my direction that you take the two whalers of this ship and immediately on our anchoring proceed up the Componee River in search of the slave-schooner that has escaped up that river.

The greatest expedition and diligence is required, as she will probably be hid in one of the numerous creeks.

If necessary, you will use force to procure a pilot.

Should they endeavour in any way to defend her, and she cannot be set on fire without serious risk, you will return to the ship for assistance.

(Signed) W. F. RUXTON, *Commander.*

Mr. John Edwards,
Second Master, Her Majesty's ship "Pandora."

Inclosure 2 in No. 219.

Mr. Edwards to Commander Ruxton.

Sir, "*Pandora*," *November* 19, 1864.

I BEG to inform you that in compliance with your Memorandum of the 17th instant, I proceeded in charge of the first and second whalers of this ship up the River Componee, and on the 18th I obtained a native pilot who conducted the boats up the river. At the point of an island I discovered the schooner, which had been run on shore and abandoned to avoid being captured. Finding it impossible to again get her afloat owing to her being stuck on the rocks, and having no boat large enough to bring any equipments back to the ship, I removed her figure-head and some muntz metal, and set her on fire, after taking her description and measurement which I inclose.

I obtained the following information from the natives, that immediately after the vessel had taken the ground the slaves who were in her, amounting to 67 in number, made their escape together with the crew, but they could not give me any information as to where they were.

I have, &c.
(Signed) JOHH EDWARDS, *Second Master.*

Inclosure 3 in No. 219.

Description and Measurement of Schooner.

HAVING found the vessel on the rocks, I immediately went on board; she was lying on her port bridge, with a great quantity of water in her, owing I imagine to a leak she must have sprung after having struck. She appeared to be an American vessel, and very well built: her decks and hull were in very good order, so I imagine she could not have been very old; her skin was fastened with copper, and her bottom covered with muntz metal, her decks of pitched pine, and her ribs and hull of hard wood, I imagine oak; I also found part of her slave-deck laid, and some planks floating under her upper deck. I waited till low water, and measured her, I then set her on fire, and remained by her till she was completely destroyed. She had neither name, papers, or colours on board.

Inclosure 4 in No. 219.

Information called for by paragraph 12, *page* 35, *of Station Orders.*

1. FROM what port vessel cleared out, and for what port?—Bremiah River, for Cuba.
2. If with slaves, where shipped?—Sixty-seven from Nunez; prevented shipping those from Bremiah by the appearance of cruizers.
3. If the master had shipped slaves before?—No, it was his first trip.
2. Was information obtained from Foreign Office?—No, from his Excellency the Governor of Sierra Leone and private information. The schooner had no colours, said to have Spanish owners, and had called at Teneriffe. Principal manager of the Slave Traffic on this part of the coast Signor Valentine Abdul; he comes and goes by the mail-packet, and generally brings a sum of money in gold with him. He hires a boat at Sierra Leone to carry him to the rivers.

King Yurrah, in the Nunez, Yanie Tongæ, Chief of Casse Can in the Componee, the Head Chief of Bremiah, and Ballah Dunba, Head Chief of the Balloon Bagas, are the shippers of slaves; the latter Chief receives 85*l.* a-year from the British Government. I have brought his conduct before the Governor, and his stipend will be stopped.

"*Pandora*," *November* 19, 1864.

(Signed) W. F. RUXTON, *Commander.*

No. 220.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *at Ascension*, *December* 1, 1864.

MY Report on the Slave Trade of the West Coast of Africa for the past year will be upon a very limited scale, as very little has transpired to make any lengthened observations necessary.

2. Their Lordships will be pleased to hear that this traffic has decreased on every part of the coast, more especially in the Bight of Benin, from which, as far as I can

learn, there has not been a single shipment during the past year, which is attributable entirely to the close blockade that has been established.

3. Slaves are as numerous as ever, but the slave dealers are afraid to purchase, in consequence of the great risk to be incurred, and the almost certainty of capture. Hundreds of slaves have been kept waiting an opportunity of shipment in the neighbourhood of the principal depôts on the coast, and constantly marched from place to place as the chances of embarkation seemed to offer, according to the plans of the slave dealers, but without success, which has led to great mortality amongst them, from privations and disease of every kind.

4. We have Treaties with the chiefs of Aghwey, Great and Little Popo, for the suppression of the Slave Trade, but these have not been rigidly enforced, and it is difficult to do so, for many reasons.

5. Legitimate trade at Aghwey and Little Popo is not upon a very extensive scale, and the French have the trade almost entirely in their own hands at Great Popo. Slaves are not shipped direct from any of these towns, but are sent outside the territory belonging to them, and embarked from places belonging to the King of Dahomey, by which the chiefs evade the consequences of the non-fulfilment of their particular Treaty. I have spoken and written to them upon the risks they encounter for the violation of their word, and their reply has always been that "no slaves have been shipped from their territory," which is no doubt literally true.

6. A blockade of their towns would do little good, and the effects would fall upon the poorer classes, which is not desirable; while any attempt to land and destroy them would be attended with considerable risk, without any adequate result being obtained, because their property is easily removed and they would leave only a few mud huts at our disposal.

7. The blockade of the whole coast, if it be kept up with a proper number of vessels, must force upon them in a very short time the necessity of legitimate trade, and we shall find that the value of the slave will be recognized on the more certain profits he will bring to his master, by being employed in the cultivation of the soil rather than in being manacled and shut up in barracoons, consuming his provisions unprofitably, and bringing no return for the expenses incurred.

North Division.

8. The quiet state of this part of the African command, as regards the Slave Trade, and the greater necessity for guarding the Bights in consequence of the appearance of steamers there for the purpose of carrying away slaves, enabled me, in the early part of the year, to withdraw the two cruizers usually stationed in this division.

9. I am not aware that any slaves have been shipped from this part of the station during the last twelve months, although rumours have reached me privately that a cargo of some 600 had successfully escaped from the Rio Pongas in May last. This report cannot, however, be traced to any creditable foundation; and as stories of this nature are being constantly spread about, to suit the purposes of the slave dealers, and to draw away the cruizers from the best blockaded part of the coast, I do not think it worthy of much consideration; but, nevertheless, I have deemed it advisable to dispatch the "Pandora" to resume the duties of Senior Officer of this division.

10. Commander Douglas, of the "Espoir," will have informed their Lordships of the result of his inquiries relative to the shipment of slaves in small numbers from this part of the coast to the Cape de Verdes, and also, whether there is any truth in the report that slave vessels call in there for supplies.

11. The "*Ricardo Schmidt*," a large Italian ship of 750 tons, was seized at Sierra Leone on the 2nd of August last, by Lieutenant Dunlop, of the "Ariel," in consequence of information received from his Excellency the Governor. This vessel had on board many of the prohibited equipments, and called at that port, hoping to get a cargo of ground nuts for Europe. The master had been for upwards of twelve months on the coast, and was frequently boarded by our cruizers. He was anxious to dispose of his vessel for slave-trading purposes, but could obtain no purchaser on account of the risk.

12. I should myself have most probably taken her on the 2nd of July, had the boats of the "Rattlesnake" succeeded in finding her at anchor off Accra, to which place they were sent for this purpose, while I proceeded to Jella Coffee. I am not aware at present whether she has been condemned or not.

13. Legal trade seems to be flourishing at Sierra Leone, but I am not inclined to think that it is extending its benefits, even in a moderate degree, to other places. I am in great hopes, however, that the exhibition about to be held there, at the latter end of this month, will open the eyes of the natives of this place in particular, which should be considered the centre of progress and civilization, and all parts of Africa in general, to the urgent necessity of increasing efforts for the cultivation of the soil and the development of the resources of this rich and productive soil.

14. In the Gambia the constant differences existing between the tribes residing on both sides of the river have a fatal influence upon the progress of trade; and although I succeeded in making a Treaty of Peace and Friendship in February last between the principal chiefs of these hostile tribes, I am afraid that nothing will induce them to leave off their depredatory practices and settle down to legitimate trade until a great lesson has been taught them.

The Bights.

15. The African squadron has this year achieved a victory in the Bights, which their Lordships and the country may well rejoice at, and the year 1864 will be recorded in the annals of slave-trading history as one of complete success over the well-contrived plans of the slave-dealers.

16. The close blockade of this part of the coast, from the River Volta to Jackin, has shown what can be done by the African cruizers, under the skill and conduct of their commanders; and I must be permitted to place on record here, before entering further into this important subject, my high admiration at the zeal, energy, and patience displayed, not only by the commanders, but by all the officers and men of the squadron, under circumstances of no ordinary trial.

17. The terrible monotony of the African Coast is proverbial, and where there is no change or relaxation from duty for a period of sometimes twelvemonths together, it will be readily acknowledged that many good qualities are necessary, not only for keeping up the cheerful condition of the men, but for the due maintenance of discipline, order, and efficiency.

18. There are privations, also, of different kinds, which the cruizers are subject to. Fresh meat is scarce, and not very enticing; and, with the exception of yams, which are often not to be obtained, in consequence of the drought, no other vegetables are seen excepting they come in small quantities as presents to the officers from the private gardens of their friends on shore. Fowls, ducks, and turkeys can be procured at Jella Coffee, but a dozen heads of poultry would not be equal to a good English fowl.

19. The want of change of scene and of faces is severely felt. Shut up in a small vessel, with only a limited number of officers, it will be easily understood that in this African climate, with its peculiar characteristics, the temper becomes irritable and the disposition materially altered. There is a want of occupation other than that connected with the duties of a ship, as the climate is sadly against all study, and the mind becomes dissatisfied and unhinged.

20. The incessant rolling, which is most trying; the constant rumbling of the heavy surf upon the beach, which becomes tedious from its monotony; the low and uninteresting appearance of the land,—all have an effect, even upon the best organized mind, that is sometimes distressing; and we have, I grieve to say, examples of the effect of these trials in the invaliding of officers and others from mental disorganization.

21. It is to prevent slaves being shipped from the shores of Africa that the squadron is called upon to endure all these privations; and it is to ameliorate the condition of both officers and men that I would earnestly entreat their Lordships to increase the number of cruizers, if the same rigid blockade is to be enforced, so that each vessel will have a certainty of being released every four or six months from such wearisome duties, and enjoy for a time a change of climate, scene, and companions.

22. Two steamers were seen off Cape Palmas and Cape Three Points early in the year, which were duly notified by me to the squadron almost immediately afterwards. One of these, supposed to be the "*Ciceron*," attempted to communicate by signal with Porto Seguro on the 7th of May, but was prevented from doing so and nearly captured by the "Pandora," Commander Ruxton, and the "Rattlesnake's" launch. The "Philomel" and "Jaseur" were in company, but their

Commanders being on shore they did not take part in the chase, otherwise there is every reason to believe she would have been captured.

23. This steamer appeared to be about the size of those belonging to the African Mail Company, and was very similar in rig, &c. Her speed is supposed to be about eleven knots.

24. Commander Cottam, of the "Speedwell," reports that another steamer (supposed slaver) was seen from the masthead of his vessel on the 17th of May, but that she steamed away to sea immediately afterwards.

25. Lieutenant Allingham, of the "Antelope," gives intelligence that a slave-steamer was seen off Porto Novo on the 8th of May by the French Admiral.

26. Lieutenant Knowles. of the "Investigator," reports that a screw steam-barque appeared off Little Popo on the 14th June, and after reconnoitering the cruizers proceeded to the westward.

27. It is very difficult to obtain correct information from the shore relative to the movements of either slaves or dealers. The natives of Jackin and Appi would have no communication with the "Antelope" when Lieutenant Allingham was stationed there; and this officer states that if they discovered that the master of a merchant-vessel had visited an English ship of war lying off that part of the coast, all trade with him would cease. and they would not allow him to land.

28. The slave-dealers in the Bights have this year been very much disconcerted by the success of the blockading squadron and cannot understand its meaning. The principal dealer at Whydah, Soares or Swarrer by name, not being able to procure vessels on the coast suitable for his purpose, went to London in the African mail steamer from Lagos about the middle of the year to purchase what he required, and, failing in this, it was his intention to proceed to New York on a similar errand.

29. The death of Domingo Martinez, who resided at Whydah during the last years of his life, may possibly have a beneficial effect upon the prospects of the Slave Trade in the Bights, as he was a man of large means and of the greatest experience in these matters. He was also well known and trusted, and the King of Dahomey sought his advice upon all occasions connected with the buying and selling of slaves. The death of such a man at this critical juncture may therefore be looked upon with some degree of satisfaction by those who are working for the abolition of the Slave Trade, and although others may take his place and resume his occupation, it will be difficult to find his equal in all matters connected with this traffic.

30. There are two ways of stopping the Slave Trade in the Bights; one, by the blockade of the whole coast, as at present, but with an additional two vessels of superior speed and stowage; and the other, by the blockade of the King of Dahomey's territory only.

31. Both of these are practicable, but the last will be the least expensive, the easiest and quickest way of succeeding, because, as I have before mentioned to their Lordships, the King of Dahomey is the great head of the Slave Trade throughout the whole of this part of the country, and feeds himself and his people upon the productions of the white man's country. Powder, arms, rum, tobacco, silks, cloths, iron, cowries, silver ornaments, &c. are essential to the preservation of his rank and crown, and they are given in large quantities to his chiefs and people at the annual customs.

31. If a blockade is established and nothing whatever allowed to be landed I am quite certain that in six months we shall find the King submissive at our feet, and readily yielding to our demands for a Treaty.

33. Those who know the Africans and how eager they are for trade and for the white man's goods, will agree in this opinion, but it may perhaps be said that there are other means of supplying the wants of Dahomey than by Whydah and the seaboard belonging to the King. It is, however, not so easy to do this as some may imagine, and if the French will act in concert with us at Porto Novo I am quite certain that the difficulties which will be experienced in sending things to Dahomey from other places will be greater than the exchequer of the King can stand. It must be remembered also that Dahomey is surrounded by hostile Chiefs, who would gladly assist in bringing this hated despot to submission by a pressure of this kind, without actually involving themselves in a war with him.

34. When this desirable end is obtained, all minor Chiefs will follow his example.

35. *Legal Trade.*—The minds of the natives are gradually turning to the neces-

sity of cultivating the soil and collecting the produce of the country for exportation. The uncertainty of the Slave Trade is beginning to have its influence in various ways; and if we can successfully prevent the slave-dealers from shipping during the forthcoming year, I think we may reasonably expect to see a change take place in the general condition of the people.

36. Merchant-ships are plentiful all along the Bights, principally at Whydah and Lagos, but they are also seen at Great Popo, occasionally at Aghwey and Little Popo, and to the westward of the River Volta. The trade is carried on at these places by the English, French, American, Dutch, Hamburgh, and Portuguese, but the Brazilian flag is rarely seen.

37. The difficulties with Abbeokuta still prevent the progress of much trade at Lagos, and until perfect confidence is restored I do not know how it can be re-established.

38. Palm oil is the principal article of commerce, but there is nothing encouraging in the growth of cotton, which may arise from the unsettled state of the country amongst the natives, who, even if they had the money, do not possess either the energy or enterprize to lay it out in a proper way.

39. So long as the Slave Trade exists there will be little cultivation of the ground and small attention given to real progress, but when this great evil is eradicated we may venture to hope for brighter times in Africa, and that the green fields of civilization and commerce will cover over for ever those blood-red stains of misery and desolation, now deeply indented upon the soil, which have been produced by the long practical cruelties and degradation of her own people.

South Division.

40. There have been some captures of Slavers on the south coast during the past year, but the attempts to ship cargoes have not been so many as formerly.

41. Commander Perry, of the "Griffon," believes that only 3 slavers appeared on the coast between Banda Point and Ambriz from the 1st of January to the 30th of June. First, a brig, name unknown, sailed from Moanda about the 28th of January with 600 slaves on board, which have never been heard of since that time. As the vessel was in a very leaky state, she is supposed to have foundered at sea.

42. Second, the "*Venus*," brigantine, captured by the "Griffon" on the 8th of February.

43. Third, a felucca (believed to be Spanish), run on shore and destroyed by the "Griffon" off the River Congo on the 3rd of June.

44. A Spanish brigantine was captured when at anchor off the River Tapado, south of St. Paul's de Loanda, by the Portuguese schooner of war "Napier."

45. Commander Perry reports that he has heard rumours of other shipments south of St. Paul's, but it is uncertain as to their truth. Slaves have been procurable in large numbers all along the coast, but the dread of capture on the Cuban side has prevented the Havana Companies from sending more vessels across. He thinks that the Slave Trade will be again revived shortly, from the arrival of Señors Netto and Campas, as well as other old slave-dealers, in the Congo and its neighbourhood, who state that a new Governor-General is likely to be soon appointed to Cuba.

46. Vast numbers of negroes in the barracoons have been destroyed by the small-pox.

47. The boats of the "Snipe," Commander Battiscombe, captured a barque, name and nation unknown, off Longo, on the 1st of July, and she has been since condemned at St. Helena. This officer reports that there are three Portuguese factories at Benguella Velha which employ a great number of slaves in cotton plantations, to the extent of nearly 300 acres. These slaves are lodged in barracoons, and could be shipped off immediately. He also says that slaves are being collected for shipment at Macula, Snake's Head, Mangue Pequeno, and Porto da Lenha, from which latter place they are transported by land to Moanda and Vista.

48. The "Dart," Commander Richards, captured a schooner without name, papers, or colours, on the 7th of July, off Vesta, and sent her to St. Helena for adjudication. This vessel left Havana on the 7th of April, and ran into Vesta the evening previous to capture, where she landed the captain. The mate stated her name to be the "*Belle*," of 100 tons, and that she has been employed until recently in running cargoes of cotton between the Confederate States and the Havana.

49. The "Dart," whilst proceeding to Fernando Po with the mails for England

at the latter end of July, made another capture of a brigantine, name and nation unknown, in the neighbourhood of Cape Lopez, and sent her to Sierra Leone for adjudication, but I have not yet heard of her condemnation.

50. The "Lee," tender to the "Rattlesnake," Lieutenant Foote commanding, whilst cruizing off Whale's Head, captured a barque on the 10th of July, without colours, fully equipped for the Slave Trade, and ready to receive a cargo of 800. She is believed to have left Cadiz on the 6th of April. The name of the master or owners was unknown, although there was a person on board who was taken by the "Espoir" two years ago, and seemed considerably interested in the vessel. He told Lieutenant Foote that he had made five successful runs out of fifteen trips. This capture was made through information received from Mr. Vredenburg, Her Majesty's Commissioner at Loanda, and Lieutenant Foote thinks that the shipment was to have been made between Egito and the River Tapado.

51. The "Lee," while cruizing off Mangue Grande, boarded a fore-and-aft schooner, under Portuguese colours, on the 23rd of April, and with an American ensign on board. Considering her suspicious, from the absence of proper papers, Lieutenant Foote towed her to St. Paul's, where she was afterwards released by the Mixed Commission Court, their judgment being that he was authorized in detaining her, but there was not sufficient proof of her being engaged in the Slave Trade. She was not condemned, but the owners were sentenced to pay all expenses, amounting to about 150*l*.

52. The Slave Trade is still carried on in this division from Cape Lopez in the North to Cape St. Mary's in the South, with the exception of a small portion of the coast between Ambriz and St. Paul's de Loanda.

53. Although the Governor-General of Angola is most earnest and determined in the cause of abolition, it is quite impossible for him, with all his desire to faithfully carry out the Treaties with Great Britain and Portugal, to prevent the Trade being carried on, in consequence of the limited means at his disposal. He has a large extent of coast to watch, and but two vessels to employ on this service.

54. The Portuguese possessions on this coast have never possessed a Governor-General more anxious and more willing to co-operate with the British squadron upon all occasions than the present one, Señor Jozé Baptista d'Andrade, who, himself a naval officer and of large experience in these matters, perfectly understands the difficulties they have to encounter. I feel myself greatly indebted to him for his courtesy and assistance under every difficulty; and I am quite certain that if every Portuguese Governor were like him, the Slave Trade on this part of the coast would soon be extinguished.

55. The Governor of Mossamedes or Little Fish Bay, Lieutenant-Colonel Fernando da Costa Leal, of the Engineers, is an officer of the same high stamp as the Governor-General; and while he remains in this position there is no fear of any slaves being shipped from places under his immediate control. I cannot speak too highly of these gentlemen, who seem to have the real good of Africa and their own Colonies at heart.

56. The system of sending domestic slaves from the Province of Angola to the Island of St. Thomas in large numbers has ceased, and every vessel which has more than eleven negroes on board, including men, women, and children, and even under this number, without the signature and seal of the Governor-General, becomes a lawful prize, so strictly are the laws enforced.

57. At Benguella Velha, Novo Redondo, Equimina, Lucira, and Catara, slaves are easily to be obtained, and there is no doubt that many successful runs would take place if vessels were sent over for this purpose, because neither the British nor Portuguese cruizers are in sufficient numbers to prevent it.

58. *Legal Trade.*—Legal Trade has increased in all parts of this coast, and in the Congo Mr. Elkman is doing an excellent business in palm oil, for the house of Messrs. Kerdyk and Pencoff, of Rotterdam; he also deals largely in ground nuts.

59. Commander Perry, in his frequent visits up this river and elsewhere, has himself seen large quantities of produce purchased from the natives by men who were before solely engaged in the Slave Trade. The traffic in ground nuts, palm-nut kernels, ivory, gums, the zerzilin and orchella weed is rapidly increasing; but at Porto da Lenha trade of every description is at a stand-still, in consequence of the natives wishing to force the Portuguese to re-establish their factories at Boma, which have been deserted on account of the recent lull in the Slave Trade.

60. To accomplish this, the chiefs have gone to the lengths of stopping even the necessaries of life from being sold to residents, whether engaged in legal or

Slave Trade firms. Señor Barros, who in the year 1861 cleared the large sum of 7,000*l.*, was one of the victims of this state of affairs, and he lately died in great penury at Porto da Lenha, indebted for the last offices of the dead to Mr. Elkman, of Banana Point.

61. Capital is wanting at St. Paul's and everywhere else, for the development of African productions. Money made by the Slave Trade is rarely used, as in days of old, for the improvement of this country, and hence we cannot be surprised at the want of even common progress. Very little food is sufficient for the native, and his character is sadly against gaining his livelihood by the sweat of his brow. He will not work as long as he can procure a few small fish and a handful of rice. The gains of the merchant who deals in every kind of goods cannot, under such circumstances, rapidly increase, and he is contented to live on his capital and small profits rather than to look forward with the certainty of making his fortune.

General Observations.

62. There is no doubt that slaves are to be procured in almost any numbers throughout the whole extent of the African Coast, and that the means of shipment are alone required.

63. I believe that even in the British possessions along the Gold Coast, in the interior of the country behind Accra and to the eastward of it, slaves are purchased and even come from the country, under English protection. From this part of the coast they are sent to the depôts in the neighbourhood of Aghwey and Great Popo.

64. I have before mentioned to their Lordships the system pursued by the Dutch Authorities at Elmina, and I have no reason to alter my opinion. It is far easier and certainly more simple to sell a servant than to punish him, because you can buy another; and this is a common way of getting rid of a troublesome person of either sex.

66. In the Bights, slave-factories are everywhere, as the slaves can be rapidly moved by the interior lagoons, and the canoes carried and launched again across the narrow belt of sand that divides these natural canals from the sea, which affords the dealer a ready means of shipment.

66. It is reported that the aggregate number of slaves collected together beforehand in three places for shipment on board the slave-steamer "*Ciceron*," which attempted to communicate with Porto Seguro on the 7th May, amounted to 2,000. By May 31, 800 of these are supposed to have died in consequence of the strength and activity of the blockading squadron, which caused constant movements of the slaves from the depôts during the height of a severe rainy season, as well as the extraordinary high price of provisions from the same reason, which obliged the slave-dealers to keep them almost at the starving point.

67. The small-pox committed, also, the most fearful ravages amongst them whilst in this wretched state, as they were nightly driven from place to place for the purpose of eluding the vigilance of our cruizers.

68. It will scarcely be believed what amount of suffering these poor miserable beings have to go through in the desperate attempts made by their masters to send them away. Those who are fortunate enough to get on board may think themselves lucky in escaping with their lives, but those who are left behind in the hurry of embarkation are in many cases made away with by poison or other means, as this mode of dealing becomes a necessity on the part of the slave-dealer in consequence of his enormous losses and his utter inability to feed and maintain them.

69. Their Lordships will see by these few remarks that this state of things, however to be lamented, has been entirely brought about by the unwearied exertions of the blockading squadron; and I can with the utmost confidence hold out the prospect of certain success if the blockade is rigidly maintained and the number of cruizers augmented.

70. England can effect the abolition of the Slave Trade by her own unaided efforts, notwithstanding all that may be said to the contrary by those who do not understand the question in its practical form; and after all the sacrifices that have been made, it will never do to abandon it now.

71. Our national honour is at stake, and we have a great principle to maintain, which, as the head of the great Christian nations, must not be lightly considered. To give up the cause of African freedom at this time would be nothing more nor less than to acknowledge that we have undertaken a work which we cannot accomplish, and which we deem to have been of no importance from the beginning.

72. But it must be remembered that there are sacrifices still to be made, and that life and death are in the compact. The health of our officers and men will suffer, but they are equal to the task; and it is in their behalf, and to prevent further suffering from disease, contracted in this unhealthy climate, as well as to mitigate the evils which follow in the footsteps of those unhappy beings on shore who are mercilessly sacrificed to satisfy the passions of miscreants who deal in their blood, that I would make an earnest appeal to their Lordships for an augmentation to the squadron, whereby reliefs may be made certain, and the abolition of the Trade more quickly ensured.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 220.

RETURN of Slavers Captured by Her Majesty's Cruizers on the West Coast of Africa Station, between January 1, and December 31, 1864.

Date of Sailing from last Port.	Names of Vessels.	Nation.	Rig.	Tons.	Owners.	Cargo.	Place of Shipment.	No. of Slaves.	By whom Captured.	Date.	Place.	Remarks.
Unknown	Unknown	Unknown	Brigantine	200	Unknown	Slave provisions	Bahia Fonta	Unknown	"Griffon"	1864 Feb. 8	Off Ambrizette	Supposed to be the "*Venus*," and to have sailed from Cadiz in November, 1863; was detained by "Antelope" on a former voyage, in February, 1863, but was released by Mixed Commission Court at Loanda.
Ditto	Ditto	Ditto	Felucca	Unknown	Ditto	Slaves, number unknown	Unknown	Ditto	Ditto	June 3	Off Point Padrone	This felucca was run on shore; the slaves escaped into the bush, but the vessel was destroyed; 6 of the slaves were afterwards recovered from the natives of Shark's Point.
Ditto	Ditto	Ditto	Barque	Ditto	Ditto	Slave provisions	Ditto	Ditto	"Snipe"	July 1	Off Longa	Had no colours or papers. Has been since condemned at St. Helena.
Ditto	Ditto	Ditto	Schooner	100	Ditto	Ditto	Ditto	Ditto	"Dart"	July 7	Off Vista	Supposed to be the "*Belle*," and to have sailed from Havana on April 7, 1864. Had been recently employed running cargoes of cotton between the Confederate States and Havana.
Ditto	Ditto	Ditto	Barque	300	Ditto	Slave provisions, coppers, and water	Between Egit and River Lapado	800	"Lee," tender to "Rattlesnake"	July 10	Off Whale Head	Had no papers nor colours, and was fully equipped to carry 800 slaves. Had a person on board who had been captured by the "Espoir" two years ago, and who seemed to be considerably interested in the vessel. Stated he had made five successful runs out of fifteen trips.
Ditto	Ditto	Ditto	Brigantine	Unknown	Ditto	Unknown	Unknown	Unknown	"Dart"	Latter end of July		Sent to Sierra Leone for adjudication. Further intelligence not yet received.
Ditto	Ricardo Schmidt	Italian	About 700	Ditto	Ditto	Slave provisions, coppers, and planks	Ditto	Ditto	Lieutenant Dunlop of "Ariel," while in charge of a prize crew at Sierra Leone	Aug. 2	Sierra Leone	Put into Vice-Admiralty Court at Sierra Leone. No further intelligence as yet received.

"*Rattlesnake*," *at Ascension, December* 1, 1864.

(Signed) A. P. EARDLEY WILMOT, *Commodore, Commanding-in-chief.*

Inclosure 2 in No. 220.

RETURN of Vessels which are said to have Escaped with Slaves from the West Coast of Africa, between January 1, and December 31, 1864.

Date of Sailing from last Port.	Name of Vessel.	Nation.	Rig.	Tons.	Owners.	Cargo.	Place where Slaves were Shipped.	Date of Shipment.	Remarks.
Unknown ...	Unknown ...	Unknown ...	Brig. ...	Unknown ...	Unknown ...	600 slaves ...	Moauda ...	1864. January 28.	This vessel has never been heard of since. Being in a very leaky state at the time of shipment she is supposed to have foundered at sea.

"*Rattlesnake*," *at Ascension, December* 1, 1864.

(Signed) A. P. EARDLEY WILMOT, *Commodore, Commanding in-chief.*

EAST COAST OF AFR'CA.

No. 221.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir, "*Narcissus*," *Simon's Bay, November* 17, 1863.

I HAVE the honour to submit, for the information of the Lords Commissioners of the Admiralty, the following remarks upon the state of the Slave Trade on the coasts of Africa for the year ending the 30th of September last.

2. During my tour of inspection of the West Coast in the early part of this year, I commenced by making a close examination of the shore and ports northward from Walwich Bay; and the first intimation which reached me of slave transactions was at Little Fish Bay on the 2nd of January last. A Spanish vessel was then expected to ship a large cargo of negroes at some spot between that place and Benguela.

3. This report proved correct, for the vessel in question was captured by the "Wrangler" (see Inclosure 1); and as the "Narcissus" passed the intended place of shipment, near Elephant Bay, on the day it was to have taken place, much commotion was noticed.

4. It has been stated that the Slave Trade south of St. Paul's de Loanda was almost extinct, and I had hoped so; but this case and, the fact of Benguela being noticed to be full of slaves, is a proof that it has revived in some measure, probably arising from the close blockade of the River Congo, which leaving this coast less observed, induced the slave-dealers to resort thither. There is no doubt that other shipments have taken place during the past year; and I am under the impression that the slaver captured by the "Brisk" off Anna Bona took some of the slaves intended for the "Wrangler's" prize. Measures are now taken to keep a closer watch of this part of the coast.

5. At St. Paul's de Loanda I learnt with some satisfaction that the newly-appointed Governor-General had taken active measures to put an end to the reputed emigration of Africans to St. Thomas' Island, as there is every reason to believe that that was about to become a depôt of slaves for exportation. The selection of that officer is some assurance of the determination of the Portuguese Government to suppress the Slave Trade in their Colonies; and should Mr. Vredenburg, the British Commissioner, take the same lively interest as his predecessor in the cause of African freedom, slave-dealers will soon disappear from that locality altogether.

6. From St. Paul's de Loanda to Loango, north of the Congo, the coast appears to be given up to the Traffic in human beings for the last two years, as the greater portion of the slave-vessels captured and those which have escaped with their cargoes resorted thither.

7. On anchoring at the mouth of the Congo river, the first object which struck my notice was a schooner carrying a French flag; her movements and appearance were most suspicious. I caused her to be visited to verify her nationality. Her papers were found to be correct, but the master openly asserted that he had 50 slaves on board and intended to ship more. This subject has been specially reported to their Lordships. The French depôt, at which slaves were collected for transport under the so-called Free Emigration System, still exists at Banana Point, where French colours are exhibited. I am informed that the orders of the French Government to discontinue this scheme did not include the abolition of these establishments. Their presence cannot but tend to encourage the slave-dealers in their desolating pursuits, leading them to suppose that supplies of human beings will again be required for the same purpose, and it will take considerable time before the mischief thus created is entirely eradicated.

8 All the merchants' agents at Porto da Lenha, of whatever nation they may

be, are more or less concerned in the Slave Trade, and it is to be deplored that so noble a river as the Congo should now be the greatest outlet of African blood into slavery. It is a matter for grave consideration whether or not the Native Chiefs on this river, who are the sellers of their own offspring, should not receive some signal punishment for their open violation of the laws of humanity and civilization. It is asserted that they provide upwards of 15,000 of their fellow-creatures annually for exportation. This year, owing to the vigilance of the cruizers, many shipments have been prevented; consequently several hundreds of slaves are on hand unprovided for, and it is lamentable to think that this alternative will be partially met by starvation.

9. From Loango to Whydah the export Slave Trade has nearly disappeared, owing in a great degree to the spread of legitimate commerce, and to the cultivation by the natives of palm oil, ground nuts, cotton, and other articles; and the possession of Lagos has most effectually stopped the exportation of slaves in its vicinity.

10. Whydah and the neighbouring coast towns belonging to the King of Dahomey still maintain the Slave Trade, but not with that certainty of supply as formerly. The last shipment of slaves from this locality of which certain information has been obtained took place at Aghwey on the 20th of October, 1862, when about 1,100 slaves were shipped in two or three hours by the Spanish steamer "*Noc Daqui*," under French colours. The cruizers were apprized of her intended arrival on the coast, but, unfortunately, whilst the "Griffon" was in chase of a steamer in that locality, which proved to be the French vessel of war "Lamotte Piquet," the slaver made her appearance, embarked her cargo, and effected her escape. It is alleged that Spanish agents came purposely to arrange for this cargo, and went away again by the packet.

11. Should the conciliatory measures adopted by Her Majesty's Government not succeed in inducing the King of Dahomey to abandon this horrible traffic, the only alternative seems to be to closely blockade his ports of all trade for two or three years, at least, by which his means for making presents to his Chiefs at the annual customs will be cut off, and his power and influence so lessened as to compel him to turn to lawful pursuits.

12. On the Northern Division the Slave Trade appears to be declining fast; there were reports of slaves being collected in small numbers at some of the islands for shipment by schooners which are said to rendezvous at the Cape Verde Islands, but no captures have been made for more than a year. In this Division, as in the Bights, this must be attributed to the watchfulness of the cruizers, and to their improved efficiency for the suppression of the Slave Trade, as well as the growing increase of legitimate commerce.

13. There can be no doubt that the extending occupation of the sea-coast of Western Africa by the European Powers, and the spread of civilization, is fast closing the sources of Slave Trade; and could the present squadron (without being so subject to diversion for other purposes by the requisitions of Governors, &c.) be wholly employed in its suppression, the export of Africans would soon become of rare occurrence.

14. The Lists appended of slave-vessels seized, and of those reported to have escaped, will afford their Lordships some idea of the extent to which the Slave Trade has been conducted for the last year. It will be seen that of fourteen vessels known to have visited the coast, capable of carrying upwards of 9,000 slaves, three made their escape with 3,100. Of the captured vessels there were four with 1,510 slaves in; the remaining seven were empty, but estimated to carry about 4,500; and leaving a margin for vessels unknown, the annual export may be taken, in round numbers, to exceed 10,000; of this only 1,100 are known to have been provided from the Bights, the rest have been obtained chiefly from the River Congo and coast to the southwards.

15. On reviewing former reports, and taking into consideration the co-operation of the United States' Government for its abolition, I am inclined to believe that there is a marked diminution in the export Slave Trade from the West Coast of Africa during the past year. And if Great Britain was cordially supported by the other Powers this debasing Traffic would soon cease to exist.

16. From the unusual number of merchant-vessels fallen in with during my cruize, legitimate commerce would appear to be steadily increasing. Good faith and confidence between the native merchants and foreign traders is better maintained, and becoming more general throughout the West Coast.

East Coast of Africa.

17. The Slave Trade from this side of the Continent of Africa is carried on to a far greater extent than is generally supposed in Europe.

18. It consists of two separate branches, namely, that conducted by the Portuguese, and the other by the maritime Arabs; the former has been in existence for the last century, whilst that of the latter is of more recent origin.

19. The great increase of late of the Arab export Slave Trade from Zanzibar and vicinity may be traced to the discontinuance of that Traffic through Tripoli and Tunis, as most of the slaves are taken to the markets formerly supplied from those places.

20. This horrible business is carried on by the maritime Arabs of the Red Sea and Persian Gulf; they visit Zanzibar and adjacent coast at the expiration of the north-east monsoon in squadrons of from 50 to 100 native vessels, called dhows or buddeens, varying from 40 to 200 tons, and each capable of carrying from 60 to 300 slaves. They bring quantities of dried fish (shark) and cotton, which they exchange for negroes, in preference to anything else.

21. The greater number of these vessels begin to return at the commencement of the south-west monsoon, about the end of March; some leave at a later period, and the rest in the months of September and October.

22. During the last three years I have directed the energies of the few cruizers I have had at my disposal for the suppression of this Traffic: and, notwithstanding the severe measures they have adopted, by which more than 100 of these vessels have been captured or destroyed, such are the strong inducements and profits of it, that I am informed many vessels are expected next year of a faster description, and better armed.

23. The light draught of the Arab vessels, and the intricate nature of the coast in consequence of the numerous shoals and small islands, enable them to evade the cruizers; and although the boats have in many instances intercepted and cut them off, the larger number have escaped either by superior sailing, or from better knowledge of the navigation.

24. When the Arab finds that escape is impracticable, he invariably runs his vessel to the shore, and in the endeavour to make the slaves escape into the bush many are drowned. It is owing to this practice that so few vessels are taken with the slaves on board.

25. In the year ending the 30th of September, 1862, twenty-two dhows were captured, estimated to carry from 2,000 to 3,000 slaves; of these only three had their cargoes on board, numbering 289 slaves. During the last year twenty-one of these slave-vessels have been seized, calculated to carry a similar number, two of which had 123 slaves in.

26. From the reports of the several commanders of the cruizers, I gather that they consider their vessels too large, and entirely unsuited to cruize effectually in suppression of this Traffic: neither are their boats of sufficient power or speed to cope with the numbers of Arab vessels they occasionally meet; single-handed they are generally successful.

27. Strong currents and fresh breezes prevail much in the latitude of and to the northward of Zanzibar, making it very unsafe for the large cruizers to keep in-shore; and the same causes render it very dangerous to open boats.

28. The source whence such numbers of Africans are taken appears to be the country round the great lakes in the interior. They are brought to the coast near Keelwa, or Quiloa, by the captors, who make them carry on the road thither ivory and other produce. Thence about 20,000 of them are taken during the year to supply the market for the domestic slaves in Zanzibar and Pemba, independently of those carried off by the Northern Arabs.

29. The Slave Trade from the Portuguese territories supplies that to Cuba, the Comoro Islands, French Settlements, and Madagascar, being better suited for the purpose.

30. Four or five vessels under Spanish and other colours are said to visit the East Coast of Africa and the western ports of Madagascar yearly for the purpose of obtaining cargoes of slaves. Two are reported to have made successful shipments at Inhambane, and another from Ibo. A vessel called the "*America*" is now on the coast under observation. Upwards of 3,000 slaves upon the average are so taken off.

31. The traffic with the Comoro Islands is very extensive and easily carried on,

as the native vessels can make a trip to them from the coast during the night. The slaves, after being landed there, are re-shipped in vessels with French agents, and taken to their settlements at Nosbeh and Mayotta, under the name of "engagés," where they are employed in the cultivation of sugar, &c.

32. The number of Africans transported to Madagascar from the Portuguese dominions is much on the increase. Many of these are for re-embarkation in foreign vessels for Cuba; the others are employed for agricultural purposes.

33. Besides those exported for slavery, nearly all the natives in the Portuguese territories are held in bondage of the most corruptible and degrading kind. In the small Island of Mozambique, where there there are only about 600 Portuguese, there are 5,000 slaves, and the mortality amongst the domestic slaves is so great that they are always in demand.

34. Dr. Livingstone in his letters to me states that the country about the Shire and Lake Nyassa is desolated by the slave-hunters.

35. The Portuguese do not employ their slaves in any extensive cultivation of the land, or for manufacturing purposes, but merely to provide for the present necessities, and for sale when a favourable opportunity offers. Under such circumstances it cannot be matter of surprise that there is little or no legitimate foreign trade in the Province of Mozambique.

36. At Zanzibar the slave is trained to the cultivation of produce for exportation, and there is therefore considerable commerce carried on at that Island with German, French, and American merchants; there is also a good trade with our Indian Possessions.

37. I have annexed, for their Lordships' information, a list of slave-vessels captured on the East Coast of Africa by Her Majesty's cruizers during the past year.

I have, &c.
(Signed) B. W. WALKER.

Inclosure 1 in No. 221.

RETURN of Slave-Vessels Captured by Her Majesty's Cruizers on the West Coast of Africa, between October 1, 1862, and September 30, 1863.

Date of Sailing from last Port.	The Vessel's						Intended		By what Ship Captured.	Captured.		Remarks.
	Name.	Nation.	Rig.	Tons.	Owner.	Cargo.	Place of Shipment.	No. of Slaves.		Date.	Place.	
Unknown	Unknown	Unknown	Barque	158	Unknown	Rice and slave provisions and equipped for the Slave Trade	Congo	600	Zebra	1862 Oct. 3	Off River Congo	Sent to St. Helena, where she was condemned.
Kinsembo, Oct. 9, 1862	Jane	Dutch	Ditto	270	Gosira, of Curaçoa	A large number of water-casks	Ditto	800	Espoir	Oct. 13	Ditto	The irregularity in the papers caused this vessel to be detained; she was condemned at Sierra Leone.
St. Paul de Loanda, October 30, 1862	E	Portuguese	Felucca	13	Martina Barbosa	4,000 dollars and 5 slaves		20	Ditto	Nov. 2	Mngue Grande.	
St. Thomas, unknown	Supposed Libertade	Late Portuguese	Brigantine	130	Unknown	Slave provisions and equipped for the Slave Trade	Congo	500	Zebra	Nov. 20	Congo River	This vessel was in the act of shipping her slaves at night.
Unknown	Unknown	Unknown	Felucca	30	Ditto	81 slaves	Ditto	90	Ditto	Nov. 20	Ditto.	
Cadiz, Sept. 21, 1862	Unknown, supposed to be Island Queen	Ditto	Ship	460	Ditto	Slave-fittings	Elephant Bay	1,500	Wrangler	Dec. 28	Lat. 14° 37′ S. Long. 9° 19′ E.	Sent to St. Helena and condemned. On the "Suspected List." This vessel was waiting at sea until January 5, when she was to have appeared off Elephant Bay to ship her cargo. The "Narcissus" passed, the day in question, and noticed the commotion.
Havana, August 21, 1862	Unknown, supposed to be Lola Montes	Ditto	Brigantine	130	Ditto	Water, rice, and calavances	Cabenda	500	Antelope	Dec. 25	Cabenda	Sent to St. Helena and condemned. On the "Suspected List."
Unknown	Unknown	Ditto	Schooner	120	Ditto	368 slaves	Supposed Elephant Bay	370	Brisk	1863 Feb. 9	Off Island of Anna Bon	
Ditto	Laura	Portuguese	Brigantine	140	Ditto		Congo	500	Zebra	Feb. 11	Congo River.	
Ditto	Unknown	Unknown	Schooner	140	Ditto	473 slaves	Ditto	500	Ditto	April 17	Ditto.	
Ditto	Ditto	Ditto		150	Ditto	583 slaves		600	Espoir	Aug. 23	Ditto.	

Four vessels captured, with 1,510 slaves on board. Eleven vessels captured, capable of carrying 5,930 slaves.

(Signed) B. W. WALKER, *Rear-Admiral and Commander-in-chief.*

Inclosure 2 in No. 221.

RETURN of Slave-Vessels which are known to have Escaped.

Date of Sailing from last Port.	The Vessel's						Place of Shipment.	No. of Slaves.
	Name.	Nation.	Rig.	Tons.	Owner.	Cargo.		
Said to be from Havre	Ocilla	American	Barque	...	Unknown ...	1,500 slaves	Congo, October 20, 1862	1,500
Unknown	Mondego ...	Portuguese	... ...	...	Ditto	500 „	Congo, Oct. 18 and 20, 1862	500
Ditto	Noc Daqui ...	Spanish and French colours	Screw-steamer ...	...	Ditto	1,100 „	Aghwey, October 20, 1862	1,100
						3,100 „ *		

* 3,100 slaves known to have been carried into slavery, and there are probably many more of which we have not received any direct information.

(Signed) B. W. WALKER, *Rear-Admiral and Commander-in-chief.*

Inclosure 3 in No. 221.

RETURN of Slave-Vessels Captured by Her Majesty's Cruizers on the East Coast of Africa, between October 1, 1862, and September 30, 1863.

Name and Description of Captured Vessel.	Flag under which she was Sailing.	Names of Master and Owner of Captured Vessel.	Tonnage.	No. of Crew.	Date and where Captured.	Name of Capturing Ship.	Number of Slaves Captured.	Number died before Adjudication.	Total Number emancipated.	Before what Court Adjudicated, and Sentence.	How the Vessel was Disposed of.
Unknown, dhow ...	None ...	Unknown ...	80 to 100	...	October 1862 ... Off Brava	Penguin, tender to Narcissus					
Ditto	Ditto ...	Ditto	81	...	Oct. 10, 1862 ... Lat. 4° 46′ S.	Gorgon	...	...	...	Cape of Good Hope ...	Burnt.
Ditto	Ditto ..	Ditto	91	...	Jan. 19, 1863 ... Kiswara	Ditto	...	...	...	Ditto	Ditto.
Ditto	Ditto ...	Ditto	122	...	Jan. 20, 1863 ... River Mongullio	Ditto	...	...	...	Ditto	Ditto.
Ditto	Ditto ..	Ditto . ..	65	...	Jan. 22, 1863 ... Mikindany Bay	Ditto	...	...	...	Ditto	Ditto
Ditto	Ditto ..	Ditto	80	...	Feb. 20, 1863 ... Lamoo Roads	Ditto	...	...	...	Ditto	Ditto.
Ditto	Ditto ..	Ditto . ..	111	...	Feb. 27, 1863 ... Kuhyoo	Ditto	...	...	...	Ditto	Ditto.
Ditto	Ditto ..	Ditto	124	...	March 6, 1863 ... Lamoo Roads	Ditto	...	...	...	Ditto	Ditto.
Ditto	Ditto ...	Ditto . ..	40	...	Dec. 8, 1862 ... Off Pemba	Ariel	...	...	...	... ...	Ditto.
Ditto	Ditto ..	Ditto	51	...	Dec. 11, 1862 ... Off Pemba	Ditto	...	...	...	... ...	Ditto.
Ditto	Ditto ...	Ditto	157	...	Dec. 21, 1862 .. Styandra	Ditto	...	...	...	... ...	Ditto.
Ditto	Ditto ...	Ditto	138	...	Feb. 26, 1863 ... Off Comoro	Ditto	4	...	4	... ...	Ditto.
Ditto	Ditto ...	Ditto	80	...	March 6, 1863 ... Off Pemba Island	Ditto	...	...	...	... ...	Ditto.
Ditto	Ditto ...	Ditto	185	...	March 8, 1863 ... Off Pemba Island	Ditto	...	...	...	... ...	Ditto.
Ditto	Ditto ..	Ditto	145	...	March 14, 1863 ... Off Monfia	Ditto	...	...	...	... ...	Ditto.
Ditto	Ditto ...	Ditto	253	...	March 31, 1863 ... Off Melinda	Ditto	9	...	9	... ...	Ditto.
Ditto	Ditto ...	Ditto	168	...	March 31, 1863 ... Off Melinda	Ditto	7	...	7	... ...	Ditto.
Ditto	Ditto ...	Ditto	...	...	April 9, 1863 ... Off Brava	Ditto	59	2	57	... ...	Ditto.
Ditto	Ditto ...	Ditto	156	...	April 23, 1863 ... Lat. 0° 27′ S. Long. 44° 48′ E.	Ditto	2	...	2	... ...	Ditto.
Ditto	Ditto ..	Ditto	...	...	April 9, 1863 ... Manda Island	Rapid	...	...	...	... ...	Ditto.
Ditto	Ditto ..	Ditto	...	...	April 25, 1863 ... North of Zanzibar	Ditto	42	...	42	... ...	Ditto.

Summary for Year ending September 30, 1862.

Vessels captured by "Gorgon"	1
„ "Penguin"	1
„ "Narcissus"	1
„ "Ariel"	19
Total	22
Slaves captured by "Gorgon"	44
„ "Ariel"	246
Total number captured	290
Died	5
Emancipated	285

Summary for Year ending September 30, 1863.

Vessels captured by "Gorgon"	7
„ "Ariel"	11
„ "Rapid"	2
„ "Penguin"	1
Total	21
Slaves captured by "Ariel"	81
„ "Rapid"	42
Total number captured	123
Died	2
Emancipated	121

(Signed) B. W. WALKER, *Rear-Admiral and Commander-in-chief.*

No. 222.

Commander Wilson to Vice-Admiral Sir F. Grey.

Sir, *Inn Hotel, Chatham, March* 24, 1864.

I HAVE the honour to forward for your information all particulars and correspondence touching the capture of three dhows engaged in the Slave Trade on the 20th and 27th February, and 6th of March, 1863, by the boats of Her Majesty's ship "Gorgon," then under my command, detached in charge of Mr. Jones (boatswain 2nd class), and Mr. Roe, Master-Assistant. Since my return to England I have received a letter from Lieutenant McHardy, commanding Her Majesty's ship "Penguin," an extract from which, by his authority, I also inclose, as bearing on the subject.

I have, &c.
(Signed) J. WILSON.

Inclosure 1 in No. 222.

Commander Wilson to Rear-Admiral Sir B. Walker.

(Extract) *"Gorgon," Algoa Bay, May* 20, 1862.

ON the 7th I proceeded to the northward to pick up my detached boats. Meeting Lieutenant Keppel the following day, with a dhow in company detained on suspicion, I transferred the crew of the matapie to the dhow, and sent her in charge of that officer to Zanzibar for adjudication. This vessel was very large (being at least 200 tons measurement) and in my opinion was intended for the Slave Trade, having no papers, a numerous crew, water-tanks, bouchoos cut and ready for laying down as a slave-deck (detailed in Return dated the 31st of March).

On the 10th March, with our hired matapie, we anchored off Lamoo, when I discharged her. Here I was joined by the first division of boats, under Mr. Jones, boatswain. He reported having taken and destroyed three Northern Arab dhows (as detailed in Return of March 30th), and having had some sharp skirmishes with several others.

Finding that one of these vessels had been taken at the entrance of the river leading to Lamoo, and had justly given offence to the Arab authorities, I sent a letter of apology, and received a most civil answer, to the effect "that as both the dhows taken in the vicinity of Lamoo were known to be northern slave-vessels, the officer had done no harm."

His Excellency afterwards paid the ship a visit, and expressed himself in the same terms.

Though these three dhows were evidently engaged in the Slave Trade, as acknowledged by the Governor of Lamoo in two instances, and strong proofs in the third (slave-irons), yet I consider it my duty to point out that they were destroyed in direct contradiction to my written orders, and that I do not feel satisfied with Mr. Jones' explanation on that point. He, however, acted most energetically, and throughout a protracted and dangerous cruize, in all other respects conducted himself to my satisfaction.

Extracts from his letter of proceedings I annex, by which it will be seen that had he commanded a boat of greater speed, he would have probably made more captures.

Both boats were pierced in several places by musket balls, but fortunately there was no one wounded.

Inclosure 2 in No. 222.

Extracts from Mr. R. Jones' Journal of Proceedings when detached in charge of a Division of Boats from Her Majesty's ship "Gorgon," March* 1863.

February 20.—BEACHED the boats and stopped leaks in them. Crew employed cleaning boat's gear. Floated off at flood-tide, and anchored in stream. Boarded five Arab dhows, which proved to be legal traders. Sent gig out to board a dhow rounding the south point of Manda. Gig fired two blanks across her bows; she immediately altered her course and escaped the gig, after which the paddler bore down on her, when she ran on shore, and the crew deserted her. I boarded with Ruce and Purser, R.M., and found her without colours or papers. She was fitted for the Slave Trade, having a slave-deck laid, and two spare ones; three water-tanks holding from three to four tons; slave food, consisting of farinha, paddy, and salted shark; cooking utensils for about eighty persons; a quantity of arms, ammunition, and some goats. Hauled the dhow off, and anchored her for the night. Left Mr. Roe, Master's Assistant, and four men, in charge of her.

February 21, 5 A.M.—Weighed, with gig and dhow in company, and beat to the northward. Boarded a dhow coming from the northward; proved to be Turkish, from Muscat, bound to Lamoo. Stood to the northward, prize dhow proving unmanageable and very leaky, having lost her rudder when on shore, and split her sail to pieces. Brought up in 7 fathoms water and destroyed her, as she was quite incapable of making a passage.

February 27.—Anchored inside Kwyhoo Point. Daylight, weighed and stood out to sea. Observed eight dhows, two of which immediately stood out to sea. This looking suspicious I gave chase; the wind falling light got the oars out, and, after pulling for three hours, the gig overhauled the leewardmost one, and succeeded in making her lower her sail. The crew of the dhow appeared friendly until the gig got within a boat's length, when she opened fire from about fifty muskets. The gig hauled off a little, and continued to return the fire till

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* Paddle-box boat, Mr. Jones and Mr. Roe, Master's Assistant; 2nd gig, W. Cunday, Captain Fore-top.

they saw it was useless wasting ammunition on her. The gig then returned to me and reported the circumstances. I immediately increased my speed in every way in my power, and gained on the chase rapidly till about 2 P.M, when, a breeze springing up, the dhow left me far behind. I then hauled my wind in chase of the other vessel; she did the same, and set another sail; we then got out our oars, and succeeded in cutting her off. I sent the gig to board whilst I pulled close under her stern; seeing we were determined, the crew laid down their arms, and we boarded. Finding she had no colours or papers, I searched her, and found three large tanks and three water-casks, capable of holding from six to seven tons of water; slave-food, composed of farinha, paddy, and salt shark; several muskets, swords, and daggers; also a number of spars. The crew were found throwing slave-irons overboard, but one of the men secured two pairs. She had a quantity of wooden platters, and chatties capable of cooking food for about 200 people. I also found on board $50 dollars. I sent Mr. Roe and seven hands to take her into Kwyhoo Roads, where we sent the crew (thirty-six in number) on shore, with as much provisions as they required.

February 28.—Daylight found the dhow very leaky, and a fearful smell in her, and being totally unfit for a voyage I thought it advisable to destroy her. I sent Mr. Roe with W. Cunday (captain fore-top) and Pat Buckley (stoker), to measure her, and then set fire to her, and remained until she was destroyed.

March 6.—Stood out and boarded a dhow; proved to be a legal trader. Observed a dhow coming from the southward trying to avoid me. I fired a shot across her bows. She hove-to. I boarded and found her to be a legal trader. Stood in. Observed several dhows coming from the northward. Two of them from their movements I suspected. I stood in and observed them creeping along the land. I fired two blank cartridges, and they not heaving-to, I fired a shot across one of their bows. She immediately hove-to, and we boarded; they resisted with sword and dagger, which we quickly put down without bloodshed. I then inquired for the captain, but could not discover him; the crew refusing to give me any information. I next asked for their papers; they said they had none; she was from Muscat, but they refused to say whither she was bound after leaving Lamoo. I overhauled her, and found slave-deck stowed away, three large water-tanks capable of containing 3½ tons of water, and a number of skins filled with water; three pots capable of cooking for eighty people, and several metal chatties and wooden dishes; a quantity of matting, two spare slave-pinions, a large stock of slave food composed of cassada root, cassada balls, farinha, and paddy. I therefore determined to detain her until the arrival of Her Majesty's ship "Gorgon."

March 7.—The dhow was reported very leaky, so I went on board to satisfy myself. I found her half full of water. I sent hands on board to bail her out, but after working for two hours and making no impression I determined to destroy her. I searched for any valuables which might be in her, and found 21 dollars. We then cut away the mast and tried to set her on fire, but the water had gained so much that she would not burn, so I scuttled her after seeing everything all clear.

Inclosure 3 in No. 222.

Extract from Boarding-book.

Boarded.			Remarks.
When.	Where.	By whom.	
1864.			
Feb. 20	Lamoo Roads . .	Mr. Jones, Boatswain, 2nd Class	1. Ran on shore and deserted by her crew. 2. Without colours or papers. 3. Slave-deck laid. 4. 2 spare slave-decks on board. 5. 3 tanks of water, holding from 3 to 4 tons. 6. Slave food, consisting of farinha, paddy, salted shark. 7. Cooking utensils for about 80 people, viz., 3 large earthen pots, 2 small metal ones. 8. 25 wooden platters.
Feb. 27	8 miles east of Kwyhoo .	Ditto	1. Without papers or colours, and fitted for Slave Trade. 2. Slave-irons (2 pair). 3. 3 tanks, capable of holding 2 tons of water each; and 2 18-gallon water-casks. 4. Slave food, composed of farinha, paddy, and salt shark. 5. Cooking utensils for about 200 persons, consisting of 4 large earthen pots, 4 small ditto, 3 metal ditto. 6. 30 wooden platters, and 10 large metal ditto.
Mar. 6	Lamoo Roads . .	Ditto	1. Without papers or colours. Resisted with swords and daggers. 2. Slave-deck (not laid). 3. 3 water-tanks, 2 capable of holding 2½ tons, and 1 1 ton. 4. Slave food, composed of farinha, paddy, salt shark. and cassada-root. 5. Cooking gear for about 80 persons, viz., 3 large earthen pots and 4 metal ditto. 6. 30 wooden slave-platters, and 6 metal ditto. 7. Matting for slave-deck. 8. 2 spare slave pinions.

Inclosure 4 in No. 222.

Commander Wilson to the Governor of Lamoo.

Your Excellency, "*Gorgon*," *off Lamoo, March* 10, 1863.

I REGRET exceedingly that the officer in charge of the boats detached from this ship should have so far mistaken his duty, and disobeyed his orders, as to take and destroy a slave-dhow at the entrance of your harbour, without receiving your permission to do so, for which I trust you will accept my apology.

I take this opportunity of thanking you for your attention and courtesy to the men and officers when at Lamoo on detached service, a circumstance which I shall have much pleasure in communicating to His Highness the Sultan of Zanzibar, as well as to my own Government.

I have, &c.
(Signed) J. WILSON.

Inclosure 5 in No. 222.

Commander Wilson to Her Majesty's Acting Consul, Zanzibar.

Sir, "*Gorgon*," *Zanzibar, March* 29, 1863.

I HAVE the honour to acquaint you, for the information of His Highness the Sultan, that the boats of this ship captured three northern slave-dhows, on the 20th and 27th of February and 8th of March respectively, one off the south end of Kwyhoo, and the others in the vicinity of Shella.

His Excellency the Governor of Lamoo, in a letter dated 11th March, expresses himself satisfied that the latter vessels (coming as they did immediately under his notice) were legal captures.

I have, &c.
(Signed) J. WILSON.

Inclosure 6 in No. 222.

Lieutenant Mc Hardy to Commander Wilson.

(Extract.) "*Penguin*,"

THE Nacoda who was in the dhow when captured by your boats has since been taken by "Orestes'" boats in a full dhow, all of which he had kidnapped, and in so doing had killed one. The man is now in Zanzibar fort.

[This paragraph refers to the Nacoda (or captain) of the dhow captured on the 27th February, 1863, eight miles east of Kwyhoo.]

No. 223.

Rear-Admiral Sir B. Walker to the Secretary to the Admiralty.

Sir, "*Narcissus*," *Simon's Bay, May* 24, 1864.

I HAVE the honour to inclose for their Lordships' consideration, the copy of a correspondence between Captain Alan Gardner, Her Majesty's ship "Orestes," the senior officer on the coast of Africa, and Lieutenant-Colonel Playfair, the Political Agent at Zanzibar, relative to the Slave Trade in that locality.

2. I would call their Lordships' attention in the first place to the extraordinary resolution passed by the Governor in Council at Bombay, animadverting upon the conduct of Captain Gardner, as well as that of the Political Agent at Zanzibar, relative to the seizure of a slave dhow, with sixty-two slaves on board, which had escaped from Zanzibar, and notwithstanding that the Sultan had approved of the capture. This document having been addressed to several Political Agents and to the senior officer on the east coast of Africa, appears to me unusual, if not improper.

3. I have also to draw their Lordships' notice to Lieutenant-Colonel Playfair's letter to the Government of Bombay, dated the 15th of June, 1863, in which he states, "that he had induced the Sultan of Zanzibar to prohibit the transport of slaves entirely during the months of January, February, March and April, even from port to port in his own dominions." Although this is a concession in the right direction, I beg to point out that the northern Slave Trade is carried on with great activity from April to September, and unless the removal of slaves be stopped during these months as well, this arrangement will have very little effect upon that traffic.

4. I am glad to state that the severe check given to the Slave Trade at Zanzibar by the "Lyra" and "Gorgon," has been followed up during the past

year by the "Orestes," "Ariel," and "Penguin," and I believe the number of slaves which have been exported in this period has been unusually low.

I have, &c.
(Signed) B. W. WALKER.

Inclosure 1 in No. 223.

Captain Gardner to Rear-Admiral Sir B. Walker.

Sir, "*Orestes*," *Johanna, March* 14, 1864.

I BEG to inclose, for your information, copies of a printed paper addressed by the Bombay Government to the Senior Naval Officer on the East Coast, and of my reply thereto, addressed to the Political Agent at Zanzibar.

I have, &c.
(Signed) ALAN H. GARDNER.

Inclosure 2 in No. 223.

Extract from the Proceedings of the Government of Bombay in the Political Department, dated October 22, 1863.

READ the following papers. Letter from the Acting Political Agent at Zanzibar to the Chief Secretary to Government, dated August 26, 1863:—

In continuation of my letter dated the 31st ultimo, I have the honour to report, for the information of his Excellency the Governor in Council, that I have not yet been able to carry out my intention of visiting the ports in the Zanzibar dominions. The season is not favourable for doing so in the "Pleiad;" and Captain Gardner, who had volunteered to take me there in the "Orestes," received intelligence of a suspicious Spanish barque being at Mozambique, and hurried off in pursuit of her.

2. Early on the morning of the 1st instant the boats of the "Orestes" captured a small bedan leaving the harbour of Zanzibar with 64 slaves on board; these were owned by a party of Joasmee Arabs, who were conveying them to Pemba, there to await the opening of the season; they would then have been transhipped to a larger vessel and conveyed to the Persian Gulf.

3. It is worthy to remark that these Arabs were the individuals whose boat was destroyed by the "Gorgon," as reported in my letter dated May 23, paragraphs 7 and 8.

4. The present one was of more than ordinary atrocity. The Gulf Arabs finding it difficult to obtain cargoes of slaves by open purchase, have adopted the more economical expedient of kidnapping all on whom they can lay hands; in this instance the majority of the slaves belonging to residents of Zanzibar, and had either been decoyed into their captors' possession by temptation, or taken by force.

5. Two of them belonged to a respectable Arab of this city; they had been seized and gagged on their way home from market. The elder offered considerable resistance, he was on this account mercilessly murdered in the presence of numerous witnesses, and his body cut in pieces and thrown into a cesspool.

6. After the capture of the bedan his comrade reported what had taken place, and I immediately waited on his Highness and represented very strongly the necessity of making a severe example, as the Arabs in question had committed the triple crime of murder, robbery, and disregard to the Slave Trade Regulations.

7. His Highness admitted the propriety of my suggestion, and said that on Friday (it was then Monday the 3rd instant) the actual murderer should be executed and the rest condemned to imprisonment.

8. Later in the day he wrote to me to the effect that many of the slaves had been stolen from their legitimate owners, and he hoped that if any were proved to be such I would restore them.

9. I replied that the question of restoring the slaves rested with Captain Gardner, their captor, that the ordinary maxim of municipal law, which requires that stolen property should always revert to its rightful owners, could not hold good in the present instance The slaves in question were captured at sea on their way to a slave-market, that the moment they trod the deck of the "Orestes" they became free, and we could not consistently with our laws restore to slavery those whom we had been instrumental in freeing. This was the opinion expressed by Captain Gardner, and I fully concurred with him.

10. I received no reply to this letter, but on the day appointed for the execution, his Highness sent his Secretary to say that Friday being the Mahometan holiday, it had been deferred till the following morning (Saturday), and several other days passed without any execution having taken place; and on the 18th instant I wrote to request that he would let me know for the information of my Government what decree he had made in the case, as it was provided in the Treaty that all who export slaves contrary to its provisions should be severely punished.

11. He replied, that as I had stated that the question of restoring the stolen slaves rested with Captain Gardner, he had deferred the case till the return of the "Orestes."

12. I may mention that the proposal to execute the murderer emanated from Sayid Majid. I was glad that he showed such decision, and I knew that it would produce a most salutary effect, at the same time it was not a point that I could have insisted upon. The murder was simply a criminal offence, which had no connection with our Treaty relations with his Highness; moreover, according to Mahometan law, a free man cannot be executed for the murder of a slave.

13. On the 20th instant the "Orestes" returned to Zanzibar, and Captain Gardner and I waited on his Highness. We explained to him how impossible it was to restore any of the slaves, although they had been captured within three miles of the coast, and therefore in his waters. He would not be convinced that we were right; and I proposed to solicit the opinion of Government on the question, whether, should a man-of-war make a capture within his waters, and any of the slaves on board should prove to have been kidnapped from their legal owners at Zanzibar, we can be called upon to surrender them, like any other stolen property.

14. It appears to me monstrous to suppose that Her Majesty's vessels especially engaged in the suppression of the Slave Trade can be expected to act as police for the recovery of stolen slaves when the Government is too weak to prevent their being stolen and exported.

15. I insisted that his Highness should punish severely the Arabs who owned this boat and had kidnapped the slaves, and he assured me he would imprison them for life. I expressed a hope that he would not include them in the general release of prisoners he is in the habit of making every Ramazan; his answer was—"When you intercede in their behalf I will release them, but not till then."

16. I have further to report that on the 14th instant I received information that a boat was on the point of starting with a cargo of slaves. There was no vessel of war in the harbour, and it was too late at night to communicate to his Highness, but his soldiers consented to act upon my request, and the boat was seized. The greater portion of the slaves were secreted on shore, but nine were found on board. These with the boat were confiscated by his Highness, and the crew were imprisoned.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure 3 in No. 223.

Lieutenant-Colonel Playfair to Captain Gardner.

Sir, *Zanzibar, August* 20, 1863.

REFERRING to the capture made by the boats of the vessel under your command, of a bedan containing 64 slaves, on the 1st instant, I have the honour to inform you that his Highness the Sultan, in whose waters the capture was made, entirely approves of your proceedings.

2. After the crew had been sent to jail I waited on his Highness, and represented to him in the strongest terms that these men had been guilty of the triple crime of murder, robbery, and breach of the slave laws: murder, in that they had mercilessly murdered a slave who had resisted being kidnapped on shore, and whose body, cut up in pieces, was discovered in a cesspool in the house they had occupied; robbery, in having kidnapped many slaves belonging to residents in Zanzibar; and breach of the slave laws, in having left port with a cargo of slaves without having obtained a Custom-house manifest.

3. His Highness agreed with me that a severe example was necessary, and he stated that he would execute the actual murderers on the following Friday, and the rest of the crew he would imprison.

4. He then wrote to the effect that many slaves had been stolen from their legitimate masters here, and he begged that if any were proved to be such that they should be restored. I replied that the disposal of the captured slaves rested with you, their captor; but that this question had been discussed by us, and it was our opinion that the common maxim of municipal law, which requires that stolen property should always revert to its rightful owner, could not hold good in the present instance: the slaves in question had been captured by you at sea on their way to a slave-market; that from the moment they touched the deck of the "Orestes" they became free; and we could not, consistently with our laws, take any steps which would have the effect of consigning to slavery those who had once been liberated.

5. I received no immediate reply to this communication. On the day appointed for the execution he sent to say that Friday being the Mahometan holiday, he had postponed it till Saturday morning, but that day and several other days passed, and I heard of no execution. On the 18th I accordingly requested that he would inform me what Decree he had passed, for the information of Government, as it was stipulated in the Treaty that those who exported slaves contrary to its provisions should be severely punished.

6. He replied that as I had told him that the question of the restoration of the slaves rested with you, he had deferred the case till your return.

7. One of the girls you had left behind proved to be a free child, illegally kidnapped; and at her urgent request, and in accordance with the discretionary power you entrusted to me, I restored her to her mother.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure 4 in No. 223.

Captain Gardner to Lieutenant-Colonel Playfair.

Sir, "*Orestes*," *Johanna, March* 14, 1864.

I BEG to acknowledge the receipt from you of letters as per margin, and also of a printed paper from the Bombay Government No. 3361 dated 22nd October, 1863, addressed to the several Political Agents in these seas, and to the senior officer on the East Coast of Africa.

It is my intention to refer this document to my Commander-in-chief. I conclude you will have informed his Excellency the Governor, and the Council of Bombay, that it is out of my power to comply with their suggestion that the slaves seized on the occasion alluded to should be restored to their former masters, as they were set free in September last year on British soil.

I would also request you to point out to the Bombay Government that the capture of the dhow alluded to was effected after an hour's chase at a distance of half-a-mile beyond the desert island of Chango, that is upwards of three miles from the town of Zanzibar, from whence she stated that the Sultan has conveyed to me through you his entire approbation of my proceeding on that occasion, and that I cannot but think that the dhow captured was not in the act of leaving the Zanzibar territory but that she had actually escaped from the Sultan's jurisdiction, and if the action of Her Majesty's ships on this coast of the Sultan of Zanzibar and Portuguese territories, it will be impossible to act on the service upon which they are engaged.

Although it was said that certain individuals among the slaves had been kidnapped, there is no doubt by far the greater part were obtained in the ordinary way.

I have, &c.
(Signed) ALAN H. GARDNER.

No. 224.

Vice-Admiral Smart to the Secretary to the Admiralty.

Sir, *"Marlborough," at Malta, August* 22, 1864.

I HAVE the honour to transmit herewith the copy of a letter dated 8th instant, from Captain Erasmus Ommanney, Senior Officer at Gibraltar, respecting the Slave Trade at Cadiz.

2. I also inclose, for their Lordships' information, a copy of a telegram from Her Majesty's Vice-Consul at Benghazi, respecting the departure of a supposed slave-ship from that port for Alexandria.

3. Captain Ommanney has been informed that the Consul at Cadiz should represent the case to Her Majesty's Minister at Madrid, and that the naval authorities in the Mediterranean are not authorized in any way to interfere with slavers.

4. I have also informed the Vice-Consul at Benghazi and the Consul-General at Alexandria that the case should, if substantiated, be brought to the notice of Her Majesty's Ambassador at the Porte with a view to the Home Government taking such steps in the matter as they deem best.

I have, &c.
(Signed) ROBERT SMART.

Inclosure 1 in No. 224.

Captain Ommanney to Vice-Admiral Smart.

Sir, *"Procris," Gibraltar, August* 8, 1864.

I HAVE the honour to acquaint you that the British Consul at Cadiz, a Graham Dunlop, Esq., has made a communication to me that he finds the Slave Trade continues to flourish at Cadiz and the neighbourhood, on which grounds he ventures to suggest that Cadiz should be visited more frequently by British vessels of war.

There is nothing in office here on record bearing on this subject, but I presume that special power and authority are required from the Home Government to enable any officer interfering at a Spanish port on matters concerning the Slave Trade.

Since I have been here the "Racoon" is the largest vessel that has visited Cadiz, but taking into consideration the increase of the Spanish naval pow r in that port, and the number of foreign ships of war which appear there, I would respectfully submit to your notice, that I think it would be beneficial for British influence if a ship of more formidable appearance could be sent to show our flag at Cadiz.

I have, &c.
(Signed) ERAS. OMMANEY.

Inclosure 2 in No. 224.

Consul Dennis to Vice-Admiral Smart.

(Telegraphic.) *Benghazi, August* 11, 1864, 7·42 A.M.

OTTOMAN brig "Mabrook Ali Mustafa," now leaving for Alexandria. Black hull, cargo matting. Suspect slaves secreted.

No. 225.

[Slave Trade on East Coast of Africa.]

No. 226.

Rear-Admiral King to the Secretary to the Admiralty.

(Extract.) *Tricomalee, October* 12, 1864.

BY the latest intelligence received from the East Coast of Africa the "Orestes" resumed the duties of Senior Officer, having left Simon's Bay on the 28th July, and arrived at Mozambique on the 12th August, since which date she has been cruizing between Mozambique and Zanzibar, and was at anchor at the latter place on the 3rd September. Captain Gardner proposed going to sea again as soon as possible, to cruize to the north for the suppression of Slave Trade, visiting the Seychelles,

Inclosure 2 in No. 229.

Resolutions agreed to at a Public Meeting held in the City of Kingston, on Tuesday December 22, 1863, *to consider and prepare a Memorial to Her Majesty to adopt immediate steps for the fulfilment of the Slave Trade Treaties.*

Moved by the Honourable Baron Ketelhodl, seconded by the Rev. J. Edmondson, and unanimously carried :—

"That it is a well-known fact, based upon reliable statistics officially collected, that the importation of African slaves into Cuba continues on a large scale, despite the Treaties between Great Britain and Spain, binding the latter Power to the suppression of that inhuman and abominable Traffic ; and this meeting belives that the Island of Cuba is the only portion of the West Indies into which slaves are still introduced."

Moved by B. A. Franklin, Esq., seconded by the Rev. F. Jones, and unanimously carried :—

"That this meeting observes with deep regret that while the British squadron on the North American and West Indian stations con-ists of twenty-six vessels carrying 324 guns, there is but one solitary gun-boat of this large force stationed off the Coast of Cuba, a coast of 700 miles long, and containing many harbours favourable to the carrying on of the illicit Traffic in Slaves."

Moved by Alexander Ana, Esq., seconded by the Honourable George Solomon, and unanimously carried :—

"That as past experience proves the great advantage of employing fast gun-boats off the Coast of Cuba to intercept the slaves, and as the substantial difficulties which formerly arose out of the question of the right of search, owing to the new Treaty between the United States and Great Britain for the suppression of the Slave Trade, this meeting feels that it is the bounden duty of the present Government again to resort in good earnest to this the most effectual mode of destroying the trade ; and this meeting would express its surprise and regret that advantage has not been taken by the Government of the Treaty in question to prosecute operations against the Slave Trade with greater vigour."

Moved by his Lordship the Bishop of Kingston, seconded by the Rev. John Radcliffe, and unanimously carried :—

"That the sufferings which for nearly two years have been experienced by the numerous population employed in the cotton manufacture in England call loudly on the Government of Great Britain to consider and revise the present policy with respect to the produce of slave labour, and to discourage and eventually prevent altogether the importation of such produce into Great Britain by the imposition of differential duties ; and that the increasing consumption of sugar, and the recent rise in its value, which is likely to continue for some time to come, cannot fail to give a renewed impetus to the Slave Trade, thereby lamentably active, and should therefore stimulate the British Government to increased vigilance and greater efforts for its suppression."

Moved by the Honourable Baron Ketelhodl, seconded by A. A. Johnson, Esq., and unanimously carried :—

"That this meeting is of opinion that the attention of Her Majesty's Government should be drawn to the favourable opportunity that the Congress proposed to be held at Paris would afford to Her Majesty's Government, in conjunction with the Emperor of the French, and the other Powers who have been parties to the Congress of Vienna, to require from Spain effectual guarantees for efficient measures tending to the immediate and final suppression of the Slave Trade to Cuba."

Moved by P. W. Hauril, Esq., seconded by A. P. E. Stephan, Esq., and unanimously carried :—

"That Memorials to Her Majesty the Queen and to the two Houses of Parliament, embodying the substance of the foregoing resolutions, and praying Her Majesty's gracious consideration and the earnest attention of Parliament be prepared for signature ; that they be forwarded through his Excellency the Lieutenant-Governor, and that his Excellency be respectfully invited to co-operate with this meeting in the present movement."

Moved by M. de Codera, Esq , seconded by E. E. Lewis, Esq., and unanimously agreed to :—

"That a copy of these Resolutions be presented to the Admiral commanding on this station, Sir A. Milne, K.C.B., on his expected visit to Jamaica, and that in the event of his not coming hither such copy be forwarded to him, and his co-operation solicited."

Inclosure 3 in No. 229.

Vice-Admiral Sir A. Milne to Messrs. Colomon, Ana, &c.

Gentlemen, "*Nile*," *at Jamaica, January* 20, 1864.

IN acknowledging the receipt of your communication of this date, on the part of an anti-slavery meeting which was held at Kingston on the 23rd ultimo, inclosing, for my information, a copy of certain Resolutions agreed to on that occasion, I think it right to observe that the second Resolution appears to me somewhat improperly to imply, on the part of non-professional gentlemen who have no official concern in the matter, a censure upon the distribution and employment of Her Majesty's ships under my command, and consequently, I presume, neglect on my part of the duties imposed on me as the Naval Commander-in-chief of this station, and for which I am alone responsible to Her Majesty's Government.

I am, &c.
(Signed) ALEX. MILNE.

No. 230.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

Sir, "*Nile*," *at Barbados, December* 21, 1863.

I REGRET to have to report to their Lordships that from a report that has reached me from Commander Harvey of Her Majesty's ship "Steady," I fear there is too much reason to believe that her whaler, which with her cutter had been detached from the ship in anticipation of the arrival of a slaver near the Isle of

Pines, had been capsized, and that the crew, viz., Thomas Edmunds, captain forecastle, James Wust, ordinary seaman, Wm. Synden, A.B., James Griffiths, ordinary seaman, had been drowned, as, though the ship had been searching for them for thirteen days, no traces of them could be discovered.

2. The employment of small boats on this service is quite opposed to what I consider to be judicious in the West Indies, however practicable it may prove to be on the West Coast of Africa, and I purpose issuing an order peremptorily forbidding it.

3. As there are other questions to be inquired into besides the unfortunate loss of these men, in connection with the "Steady's" proceedings on the coast of Cuba, I shall defer forwarding the full particulars until I have seen Commander Harvey, whom I shall probably meet at Port Royal on my arrival there.

I have, &c.
(Signed) ALEX. MILNE.

No. 231.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

Sir, *"Nile," at Jamaica, January* 13, 1864.

REFERRING to my letter of the 21st ultimo, relative to the loss of the "Steady's" whale-boat and crew of four men, I have now the honour to inclose, for their Lordships' information, a copy of Commander Harvey's report of the unfortunate occurrence, together with the result of an inquiry I caused to be instituted into the circumstance, as well as a copy of a Memorandum I thought it necessary to address to Commander Harvey on the subject.

2. Further I beg to inclose a copy of the standing order I issued on the 22nd ultimo, prohibiting the employment of boats in cruizing for slaves in the West Indies, and which I have already apprized their Lordships of my intention to issue, in consequence of the frequency of bad weather and very strong trades not admitting of boats being so employed with safety.

I have, &c.
(Signed) ALEX. MILNE.

Inclosure in No. 231.

Standing Order No. 35.

"Nile," at Barbados, December 22, 1863.

CAPTAINS of Her Majesty's ships employed in the suppression of the Slave Trade are on no account whatever to detach the boats from their ships for the purpose of cruizing for slave-vessels, nor, when it can be possibly avoided, are boats ever to be absent from the ship during the night.

I have further to direct that no islands or cays are to be searched for slave-equipments unless they are *bonâ fide* within Her Majesty's territorial jurisdiction, as Her Majesty's officers are not empowered to exercise any such authority upon foreign territory.

(Signed) ALEX. MILNE, *Vice-Admiral and Commander-in-chief.*

The Commodore and respective Captains and Commanders,
&c. &c. &c.

No. 232.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

Sir, *"Nile," at Bermuda, February* 9, 1864.

REFERRING to my letter of the 10th December last, and to previous correspondence on the subject of the complaints made by the Spanish Government against our cruizers employed on the coast of Cuba in the suppression of the Slave Trade, I have now the honour to inclose the Report of Commander Grant, of Her Majesty's ship "Rosario," who at the time of which the complaints refer was in command of Her Majesty's gun-vessel "Steady," which completes the Reports from all the cruizers which had been so employed.

2. As the instructions I have issued and my former despatches on the subject deal with each of the several features of the case to which Commander Grant refers,

I have nothing further to state beyond informing their Lordships that I have written to Mr. Crawford on the subject of hoisting the yellow flag at Havana, which all Her Majesty's ships are enjoined to do agreeably to the directions repeated in your letter of the 26th August, 1862.

I have, &c.
(Signed) ALEX. MILNE.

Inclosure in No. 232.

Commander Grant to Vice-Admiral Sir A. Milne.

Sir, "*Rosario*," *at Bermuda, December* 29, 1862.

IN reply to your Memorandum of the 14th instant, directing me to furnish you with an explanation of my proceedings when employed in Her Majesty's gun-vessel "Steady," in the suppression of the Slave Trade, in so far as they come within the scope of the Spanish Minister's complaint embodied in a despatch to Earl Russell of the 11th July, 1863, I have the honour to inform you that—

1. That on arriving at Havana in December 1862, I called on the Admiral and Captain of the Port, with Mr. John Crawford, Her Britannic Majesty's Consul, and informed them of the extent of my cruizing-ground, and the only occasion on which I omitted this courtesy was on the 5th January, when I was only in the harbour for a couple of hours, the nature of the service I was then engaged on being recognized as sufficiently immediate for me to go out at once.

2. I always hoisted the quarantine flag, and no one ever landed in Havana without the health visit having been paid. Finding that the yellow flag was misunderstood, I mentioned it to Mr. Crawford, Her Majesty's Consul, who asked me to inform Commodore Dunlop, and I had his verbal instructions to discontinue its use, as the people were at once alarmed, and concluded there was sickness on board.

At Cienfuegos, after the first visit, I waited on board for some hours, no sign of any official coming off. I went to the Captain of the Port, and he said he thought I would have considered myself at home, and as he knew I would not enter the port if I had any contagious disease on board, and also that as we were cruizing, he had discontinued his visits. He was always very courteous; and on the Governor I never failed to call each time.

3. I have anchored frequently on the Jardanillos bank, generally out of sight of land, to which I could not possibly conceive there would be any objection.

The anchorage at the Isle of Pines I have occasionally used for a temporary refit, and fired at a target, which was placed seaward on an extreme rocky point. The only land firing was against a large cliff, which bore marks of having been used for some years past as a target to explode the concussion shells. The country around was a dense marshy jungle, the nearest and only house in that part of the island being five miles distant, accessible only by a very narrow track.

I have, &c.
(Signed) HENRY GRANT.

No. 233.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

[Report on Slave Trade of Cuban Coast.]

No. 234.

Vice Admiral Sir J. Hope to the Secretary to the Admiralty.

Sir, "*Duncan*," *at Bermuda, June* 10, 1864.

IN reply to your letter of the 30th March last, you will be pleased to acquaint the Lords Commissioners of the Admiralty that I am informed by Mr. Crawford, Her Majesty's Consul-General at Havana, that a brigantine, known as the "*Pondicherry*" was captured by the Spanish war-steamer "Neptune," under no colours, and with no papers, in latitude 22° 45′ 30″ north, longitude 72° 18′ 30″ west from Cadiz (78° 35′ 30″ west from Greenwich), and consequently on the high seas.

2. In a correspondence which took place on the subject between the Spanish authorities and the Consul-General, in which the former appear to have supposed that the brigantine was taken in British waters, a supposition evidently erroneous if the position given above is correct, and in which they offered some apology for the capture, Mr. Crawford referred to the limits given in the fourth paragraph of the IVth Article of the Treaty for the suppression of the Slave Trade, within which the right of search is not to be exercised, and maintained, as I think correctly, that everywhere else, and therefore even in British waters, the capture would have been legal.

No. 233.

Vice-Admiral Sir A. Milne to the Secretary to the Admiralty.

"*Nile*," *at Sea*, *Lat.* 39° 58′ *N.*, *Long.* 42° 36′ *W.*,
March 26, 1864.

Sir,

I HAVE the honour to acquaint their Lordships that since my letter of the 18th September, 1862, stating that I had ordered the smaller class of vessels under my command to resume the cruizing for the suppression of the Slave Trade on the coast of Cuba, these vessels have been very generally employed on this duty unless when I have found it necessary to recall them for special service on the coast of America, or to give their crews some change by sending them to the northern part of the station; but since I have held this command no slave-vessel has been captured, nor has a single slave-vessel been seen either by the special cruizers or by the many vessels which have been so constantly making passages on the coast of Cuba, Florida, and the Bahamas. I attribute this to the vast reduction in the importation of slaves into Cuba, and consequently a few vessels now engaged in this nefarious Traffic.

2. When serving in former years and employed cruizing for months on the coast of Cuba and watching the slave ports, I never was successful in meeting with a slave-vessel, but when otherwise employed and making passages between various ports of the West Indian Islands I succeeded in detaining four vessels with upwards of 900 slaves; and it is by no means a solitary instance of ships making passages being more successful in the suppression of the Slave Trade than the ships specially employed on this service. The yearly importation of slaves into Cuba at that period (1837 and 1838) was understood to be about 30,000; now, I am informed, it does not reach 6,000.

3. I am aware of one vessel having been wrecked near the Cay Lobos, from which island the slaves were transferred in small schooners into Cuba. Another vessel was captured in the harbour of Mariel, and another by the Spanish authorities of Trinidad de Cuba after the slaves were landed, and subsequently boarded by Her Majesty's ship "Landrail."

4. The Anguilla Cays have, I suspect, been used for the purpose of landing slaves, being from thence transferred to Cuba, but often as these cays have been visited by the cruizing ships no slaves have ever been found.

5. I have reason to believe that the slave-vessels have taken advantage of the light-houses lately erected in the Old Bahama Channel and proceed towards the Havana by that route, and that, having reached the long line of cays on the north shore of Cuba, they prosecute their voyage by any in-shore passage between these cays and the main island, thus entirely avoiding any cruizing ships.

I cannot attribute the non-success in making captures to inattention or want of zeal on the part of the officers in command of Her Majesty's ships, as they have invariably displayed unwearied attention in the discharge of their duties, and the zealous manner in which they have performed this special service has, as your Lordships are aware, called forth strong remonstrance on the part of the Government of Spain.

I have, &c.
(Signed) ALEX. MILNE.

3. The tendency of a less literal reading of the Treaty to restrict the powers of Her Majesty's vessels in suppressing the Slave Trade, is too obvious to require comment, and was probably present to the minds of the Spanish authorities when they entered into the correspondence in question.

I have, &c.
(Signed) J. HOPE.

No. 235.

Vice-Admiral Sir J. Hope to the Secretary to the Admiralty.

Sir, *"Duncan," at Bermuda, June* 10, 1864.

YOU will be pleased to acquaint the Lords Commissioners of the Admiralty, in reply to their letter of the 2nd ultimo, that five of the smaller vessels of the squadron are now employed exclusively in cruising for the suppression of the Slave Trade, and that those which are stationed on the north coast of Cuba have received directions to communicate with the Consul-General at the Havana.

2. The vessel stationed at Nassau has also been directed to search the cays on the Bahama Banks both for barracoons and information.

3. My late visit to the Havana arose from my desire to become personally acquainted with the Captain-General, and to communicate fully with the Consul-General on the subject of the Slave Trade, and, should the exigencies of the service permit, it is my intention to proceed there annually for the same purpose.

4. In conclusion, their Lordships may rest assured that no effort shall be wanting on my part to give effect to their views on this subject.

I have, &c.
(Signed) J. HOPE.

No. 236.

Vice-Admiral Sir J. Hope to the Secretary to the Admiralty.

[Present Governor of Truxillo not favourable to Slave Trade.]

No. 237.

Extract from Memorandum left by Vice-Admiral Sir A. Milne for the information of Vice-Admiral Sir J. Hope, dated at Bermuda, March 15, 1864.

Slave Trade. Cruizing off Cuba.

SINCE April 1862, cruizing for the suppression of the Slave Trade off this coast has been resumed, but without success, although four or five vessels have been constantly employed on this service.

I attribute their ill success mainly to the fact that, owing to a variety of causes, the Slave Trade is not flourishing, as is proved by the fact that during the year ending September last 5,000 only are known to have been landed on the whole island. Some other of the causes are the entire stoppage of slaving enterprises in New York and Boston, where they were heretofore chiefly organized, owing to the United States having shown their determination to put it down by hanging Captain Gordon, who had been engaged in the Traffic, to the Treaty between Great Britain and the United States of the 7th April, 1862, and to the civil war giving other employment to the several classes of men who would otherwise have been employed in it. Further, the recent price of sugar may have crippled the resources of the planters, who have not recovered the mercantile shock of 1857.

On the other hand, the proceedings of some of our cruizers had given rise to complaints, some well, some ill founded, on the part of the Spanish Government, which will, I hope, have been satisfactorily explained or remedied. It will, moreover, be seen that I have prohibited cruizing in boats, as in the Cuban Seas. I do not deem it a safe practice: and further, that I have suggested to Her Majesty's Government whether the time has not arrived to recognize frankly and unreservedly the right of Spain over the Cuban cays, on the same principle that we maintain our right to certain of the Bahama and Bermudian cays.

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